

2151. By the SPEAKER: Petition of Stephen A. Mascaro, assistant secretary, Louisiana State Bar Association, New Orleans, La., stating their opposition to the granting of admiralty jurisdiction to the bankruptcy court, as is proposed in House bill 3111, Eighty-first Congress; to the Committee on the Judiciary.

2152. Also, petition of Jose Palermo Jordan, chairman, Industrial Soldiers Association, Guayama, P. R., requesting that legislation be passed giving relief to and making justice for those who gave their best efforts for the cause of democracy; to the Committee on the Judiciary.

SENATE

FRIDAY, MAY 19, 1950

(Legislative day of Wednesday, March 29, 1950)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we beseech Thee that Thou wilt make this moment of devotion a pavilion of Thy peace, as trusting only in Thy mercy we bring our soiled souls to Thy cleansing grace. We come with heavy burdens on our minds and hearts for our Nation and for the world. We come with deep anxiety concerning the future our children will inherit from our hands. Yet we live and labor in the faith that Thy truth is marching on, even in the perplexities of these terrific days. Take us, we pray Thee, as we are, with unfulfilled purposes and disappointed hopes, with impulses, strivings, longings, so often frustrated and thwarted; and even with what is broken and imperfect in us make Thy radiant dreams for all Thy children come true. We ask it in the name of Him who made human life a sacrament and a cross a throne. Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 18, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

LEAVES OF ABSENCE

On his own request, and by unanimous consent, Mr. YOUNG was excused from attendance on the sessions of the Senate on Monday, Tuesday, and Wednesday of next week.

Mr. GREEN. Mr. President, under date of February 22 the Senate unanimously passed Senate Resolution 231, authorizing the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are, or have been, employed by the Department of State. As a result a special subcommittee, of which I am a member, was immediately estab-

lished and has been operating since that time. On Monday, April 24, this special subcommittee, by vote, appointed me and the Senator from Massachusetts [Mr. LODGE] a special committee of two for the purpose of investigating the security program of the Department of State and its foreign establishments.

In this connection it is necessary for this special committee of two to visit Frankfurt-am-Main, Germany, and possibly other places in Europe, for the purpose of conducting the investigation abroad. It is expected that we shall depart on May 23 or shortly thereafter and that we shall return to Washington approximately on June 6.

I am asking that we be excused from attendance at sessions of the Senate and its committee meetings during that time.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Rhode Island? The Chair hears none, and it is so ordered.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hickenlooper	Martin
Anderson	Hill	Maybank
Benton	Hoey	Mundt
Brewster	Holland	Myers
Bricker	Humphrey	Neely
Bridges	Hunt	O'Connor
Butler	Ives	O'Mahoney
Byrd	Jenner	Robertson
Cain	Johnson, Colo.	Russell
Capehart	Johnson, Tex.	Saltonstall
Chapman	Johnston, S. C.	Schoeppel
Connally	Kefauver	Smith, Maine
Cordon	Kern	Smith, N. J.
Darby	Kerr	Sparkman
Donnell	Kilgore	Stennis
Douglas	Knowland	Taft
Dworschak	Leahy	Taylor
Eastland	Lehman	Thomas, Utah
Ecton	Lodge	Thye
Ellender	Long	Tobey
Ferguson	Lucas	Tydings
Flanders	McCarran	Vandenberg
Fulbright	McCarthy	Watkins
George	McClellan	Wherry
Gillette	McFarland	Wiley
Green	McKellar	Williams
Gurney	McMahon	Young
Hayden	Magnuson	
Hendrickson	Malone	

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from California [Mr. DOWNEY] and the Senator from North Carolina [Mr. GRAHAM] are absent because of illness.

The Senator from Delaware [Mr. FREAR] is absent by leave of the Senate on official business.

The Senator from Montana [Mr. MURRAY] is absent because of a death in his family.

The Senator from Florida [Mr. PEPPER] is absent on public business.

The Senator from Kentucky [Mr. WITHERS] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Oregon [Mr. MORSE] are absent by leave of the Senate.

The VICE PRESIDENT. A quorum is present.

SENATOR VANDENBERG, OF MICHIGAN

The VICE PRESIDENT. For himself and for the entire membership of the Senate, the Chair expresses the pleasure and happiness we all feel in the presence today of the distinguished senior Senator from Michigan [Mr. VANDENBERG]. The Chair hopes that his health may continue to improve until it is entirely restored. [Applause, Senators rising.]

PRESENCE IN THE GALLERY OF DISTINGUISHED JURISTS

Mr. MYERS obtained the floor.

Mr. ROBERTSON. Mr. President, will the Senator yield so that I may make a short announcement?

Mr. MYERS. I yield for that purpose.

Mr. ROBERTSON. Mr. President, I feel highly honored today to have in the family gallery as my guests an old college mate who is the chief justice of Virginia Court of Appeals, Chief Justice Edward W. Hudgins. He is accompanied by a very distinguished jurist from Ohio, Carl V. Weygandt, chief justice of the Supreme Court of Ohio, by F. D. G. Ribble, dean of the University of Virginia Law School, whose opinions on constitutional law have been quoted more frequently by the United States Supreme Court than those of any other lawyer, and by John L. Walker, former president of the Virginia Bar Association. These distinguished jurists have come here today to look upon the greatest legislative body in the world. If at some future date they are forced to hand down decisions expressing a contrary viewpoint, I feel it will be our own fault.

ANNOUNCEMENT AS TO TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, if the Senator from Pennsylvania concludes his address before 1 o'clock and sufficient time intervenes, Senators will be permitted to present petitions and memorials, introduce bills and joint resolutions, and submit routine matters for the RECORD. If not, I shall make a unanimous-consent request for that purpose immediately after the vote on the cloture petition.

FEDERAL FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed consideration of the motion of Mr. LUCAS to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin.

Mr. MYERS. Mr. President, at the beginning, I want to emphasize the grave responsibility which was placed upon this body by the action of its Members in the last session in adopting a new cloture rule which requires the votes of 64 Senators to impose a limit on debate. This new rule was adopted by the Senate shortly after both political parties concluded their presidential campaigns in which they solemnly pledged their support to platforms that promised the American people positive action by Congress in eliminating discriminatory employment practices.

As chairman of the committee which wrote the Democratic platform of 1948, I can attest to the deep sincerity of those who successfully urged that our party state emphatically and explicitly its views on fair employment practices. I can attest also to the sincerity and enthusiasm of those who accepted and supported our party's platform.

The Republican Party, just as sincerely, I am sure, wrote the following words into its platform:

This right of equal opportunity to work and to advance in life should never be limited in any individual because of race, religion, color, or creed. We favor the enactment and just enforcement of such Federal legislation as may be necessary to maintain this right at all times in every part of this Republic.

Senators of both political parties who urged or supported our present cloture rule were fully cognizant of these pledges in the platforms of both great parties.

Distinguished Members of the Senate have said that they have no doubt that cloture can be obtained under this rule on an antilynching bill, or on a poll-tax bill. Let me point out to those Senators, and to every American citizen, that the grave responsibility placed upon this body by the adoption of the new rule will not be fulfilled unless cloture can be obtained not only on an antilynching bill or a poll-tax bill, but also on the question before us now. It is clear to all that without cloture, we are not likely to have a fair-employment-practice law.

In view of the pledges that have been made by both great political parties, and in view of the responsibility which was placed upon us by the adoption of our new cloture rule, we are all impelled to assert our finest efforts and greatest influence in marshaling the forces necessary to approve this cloture motion. We shall not be fulfilling our responsibility to the American people if we content ourselves with what we have already done, if, with greater effort, we might do more.

If we are to have a proper understanding of S. 1728, the Senate fair-employment-practice bill, we must view it in its proper perspective. It is not a plan aimed at a particular section of the country. Rather, it is a positive and proved method of ameliorating discriminatory practices against American citizens; practices which prevail in practically every section of the United States.

Abundant evidence of discriminatory practices in nearly every part of the United States has been presented to committees in the Congress, and has been reviewed in speeches on the Senate floor. I shall not take the time to repeat these specific examples of discriminatory practices which are occurring daily throughout our country. It is more important that we emphasize here, and that we remember that there are millions of Americans who are being deprived of an equal opportunity with the rest of our American citizens in earning a livelihood.

Too many Americans—millions of people living in this great Republic founded on the principles of freedom

and justice—are being discriminated against, systematically or otherwise, in respect to the most fundamental and basic right which democracy offers, that is, the right, along with other men, to pursue a profession or earn a living.

In the words of our former great Secretary of State, George C. Marshall:

Society is not free if law-abiding citizens live in fear of being denied the right to work.

So, Mr. President, I shall take at the outset the position that there are substantial numbers of "law-abiding citizens" who "live in fear of being denied the right to work."

Operating on this assumption, I think we should make three main inquiries in regard to the bill before us.

First, what do we propose to do about assuring the right to work? Second, will our proposal accomplish what we intended to do? And, finally, do we in Congress have the constitutional power to enact such a law?

I want to turn my attention now to the matter of insuring the right to work. The right to work under a free-enterprise system is the right to live, the right to earn a livelihood which will support an individual and his family, the right to engage as a productive member of society, turning out the goods we need to maintain our standard of living, and, finally, the right as a consumer to share in the use of the product by which our living standard is defined.

A man without a job is certainly making no contribution to the productive wealth of our country. This is obvious. It is overwhelmingly true as well that most men out of work lack any independent resources which would otherwise permit them to consume any appreciable quantity of the goods and services furnished by others. I do not have to impress upon anyone the importance of the argument that our economy flourishes in direct relation to the purchasing power of our people. The man who buys but little contributes but little toward the employment and productivity of our Nation.

A dozen years ago Congress determined as a matter of national policy to establish the principle of a minimum wage for those whose work flowed through the channels of interstate commerce. That law was vigorously attacked before it was passed, and the attack continued in some force for years after the law was enacted. Today the principle of a minimum wage for those who work in interstate commerce is almost universally accepted, and the only arguments that are pressed with any insistence are raised against the amount of minimum wage, and not against the principle itself.

Now the primary principle which underlay the original minimum-wage legislation was the recognition that the purchasing power of the worker as consumer was an all-important requirement to the productive wealth of our economy. Unless a man can purchase in proportion to the goods or services he creates, it is quite evident that the market for the things we make is seriously curtailed, and, furthermore, the worker whose pay is woefully inadequate is

clearly deprived of anything approaching real participation in what we like to think of as the American way of life.

The minimum-wage law has the beneficial effect not only of increasing the purchasing power of those on the bottom of the economic stack, who are covered by the law itself, but, by raising the wage standards in covered employment, the law has the effect of raising purchasing power generally for low-paid workers, even though their jobs are not covered by the minimum-wage law.

But the minimum-wage law applies only to those who can obtain a job. For those others—and there are many of them—who are unable to find work, not because they are incapable of working, but simply because they have been rejected for reasons of their religious beliefs, or their race, or their national origins, the minimum-wage law has no force or effect whatsoever. The people who are turned down for employment in work which they are capable of doing are forced to accept any kind of wage that is offered them. These rejected people in a given community or State or section of the Nation form pools of surplus labor available for a song. Their abilities are not utilized as they might be, and their purchasing power, apart from the barest necessities of life, contributes nothing to the employment of others. These people, discriminated against because of race, religion, or national origin, are certainly not, in an economic sense, participants in the American way of life. And I think that most of those who object to the legislation presently before us will have no argument with me on that score.

I feel, however, that those who oppose legislation which would assure the right to work to those capable of working fail to see the broader consequences of the piteous economic standards which so often characterize those who have been discriminated against. They fail to realize that the very existence of a pool of labor available for a pittance has the net result of pulling down the wage standards and purchasing power of groups of people able to find work without discrimination. There is no doubt about this, Mr. President. Those who are forced to work for next to nothing are the rankest kind of unfair competition against others who work in the same area. In short, those who because of discrimination are deprived of a right to work at a job they are capable of performing, pull down the living standards not only of themselves, but of all others in their communities and, for that matter, of the Nation itself.

Unfair employment practices are a broad detour around the whole principle of a minimum-wage law. The right to work is a fundamental part of the right to the reasonable minimum-wage standards which have been in force on a national basis for a dozen years.

No one can calculate the loss to our national wealth which we suffer as a consequence of failing to make use of the skills and capabilities of all our people, and no one can calculate the loss we sustain as a result of limited purchasing power on the part of so substantial a group of Americans.

There is no part of America, Mr. President, in which unfair employment practices do not exist to some degree. I think if we look realistically at the living standards and wealth of any part of our country we shall find the lowest standards in the areas in which discrimination is worst.

I realize it may be argued that discrimination may well increase as the economic health of an area grows worse—the argument, in substance, that discrimination is the result, not the cause, of worsening economic conditions. There is no simple answer to this argument; but I believe that those who argue that discrimination is the result of economic distress may be answered sufficiently by pointing out the tremendous strides toward economic health which have been made in our poorest communities as a result of a minimum-wage law. This cannot be challenged. The minimum-wage law, even without the companion protection of the right to work, has brought about substantial advances in the living standard of many of the poorer sections in the United States.

The case which I make here for the enactment of a fair-employment-practice law has been couched squarely in economic terms. I have not done this because I am unaware of the human feelings which are very, very much involved in a matter of this sort. Heaven knows, we are all very much aware of the feelings in the hearts of the millions of Americans who live, day after day, with the knowledge that they do not enjoy the full-fledged rights and privileges of American citizenship. The injustice of this is alone sufficient to demand enactment of FEPC legislation in a nation which is predicated on the belief of freedom and opportunity for all.

Neither have I said anything about the social implications of this law, because I feel that they more properly belong to the second question which I raised earlier, namely, Will the pending FEPC bill accomplish what we intended to do? That is the question which I shall take up at this time.

I have no doubt at all that a Federal FEPC law will be highly successful. The experiences of the States and communities which have adopted fair-employment-practice laws are convincing proof that the principle of this proposed statute is sound, and that it will work.

The objections which are being voiced today against a Federal statute on this subject were also leveled against State and local FEPC laws. Businessmen feared consumer resistance if certain minorities were employed in public establishments. It was argued that the right of employers to manage and operate their own business enterprises would be largely destroyed. Mass walk-outs of employees were predicted.

It should be kept in mind that these State and local laws apply to communities where deeply grained prejudices exist—prejudices that run just as deeply in those communities as they do in any area of the Nation. Yet, we have learned that not one of those forebodings was justified.

There has been no consumer resistance in the areas where these laws are in force.

Studies conducted in New York, the first State to adopt a fair-employment-practice law, have shown that the public has fully accepted the employment of minority groups in public establishments.

Similarly, employers have not found that the requirements of fair-employment-practice laws interfere with their independence in operating their businesses.

Of 65 employers in the State of New Jersey whose views on FEPC were solicited by the State enforcement agency, not one expressed a negative or unfavorable reaction to the law. Let me state some typical responses. The St. Regis Paper Co. reported:

No problems that had not previously been with us have been raised since the inception of the law, nor has it interfered with our hiring procedure.

The New York Shipbuilding Corp. made this comment:

In reply to your inquiry . . . we wish to say that the subject law has caused no new difficulties or problems in our business. . . . The law in question has not interfered with our right to select the most competent workers for our operations. . . . We have heard no adverse criticism concerning the administration of the antidiscrimination law.

Likewise, no mass walk-outs have resulted from the passage of these laws. The chairman of the New York State Commission on Discrimination, in his testimony before a congressional committee, stated that the dire predictions voiced by one-time opponents of the New York law had not materialized, that mass walk-outs of employees in protest of the law have not occurred.

It is a fair conclusion that the State and local FEPC laws have been accepted generally in the finest cooperative spirit by nearly all groups in those communities.

Of course, it has been contended here that our Southern States are entirely different; that an FEPC law would not work in the South, that it would meet with solid and persistent opposition in every southern community. I seriously question the soundness of those views. Basically, the South is no different from the other parts of our country. In the final analysis, prejudices are made of the same stuff, regardless of where they are found. I have every confidence that an FEPC law would be accepted by most southern communities in a fine spirit of cooperation.

A survey made by Fortune magazine has shown that a substantial portion of the white population in the South favor fair-employment-practice legislation. I have been advised that white workers in a plant at Anniston, Ala., went on strike to obtain equal pay for both white and Negro workers. Today in that particular plant, Negro and white workers are paid the same for equal work.

Many thousands of southerners share the view expressed by former Gov. Ellis Arnall, of Georgia, when he said:

Pay the Negro good wages for his work, give him the opportunity to demonstrate

his own capacity to learn, work, and earn, give him his constitutional rights and you have solved this distorted so-called race problem.

An editorial from the Birmingham News, in Alabama, gives force to my belief that FEPC will work in the South. This editorial reads in part as follows:

There are always some people everywhere who are disposed to taking a suspicious or prejudiced view toward FEPC. Here, in Birmingham, happily, we surely can say such persons are decidedly in the minority. (Editorial, June 18, 1942.)

The prospects for successful administration of a fair-employment-practice law in the South are so promising that we should not permit the forebodings of overcautious persons to divert us from our great objective—equal opportunity for all men.

Every precaution has been taken to confine the application of this measure to economic problems. Small-business enterprises where close personal relations may exist between employer and employees have been exempted from the application of this proposed law. The modern factory is not a social club. All charitable and fraternal organizations likewise have been exempted, as another precaution to assure that this bill, if enacted into law, will not tread upon close personal relationships.

The opponents of this measure have argued with considerable force that Congress does not have the constitutional authority to enact a Federal FEPC law, and this raises the third question I asked earlier. This question must be answered ultimately by the Supreme Court. However, I have no doubt at all that the commerce clause of the Constitution places in Congress full power to act on this matter.

The authority of Congress over interstate commerce has been interpreted through a long series of Supreme Court decisions as being full and complete. In 1913 the Shreveport rate case laid down the principle that Congress, under its commerce authority, could regulate activities confined entirely within a State, if those activities affected interstate commerce.

This doctrine was recently reaffirmed by the Supreme Court in National Labor Relations Board against Jones & Laughlin Steel Corp., where it was held that Congress under its commerce authority could lay down rules governing the conduct of workers and employers engaged in industrial production, even though the production process was confined entirely within a State. The production process was subject to congressional authority because it affected commerce by influencing the flow of goods into the State and out of the State.

Since the proposed bill is limited by its terms to business engaged in, or carrying on, operations affecting interstate commerce, there is no doubt that Congress can regulate some of the activities of these businesses. The important inquiry is: Does Congress have the authority to regulate under the commerce clause the specific matter of discriminatory employment practices?

Here again, the answer is clear. If these practices affect the flow of com-

merce, they are clearly within the power of Congress. It is argued by the opponents of this bill that employment practices are a strictly local matter, merely an internal business procedure, with no bearing on interstate commerce.

Opponents of FEPC will note with interest that our courts, in *Troppy* against *LaSara Farmers Gin Co.*, held that Congress, under the commerce clause, could validly authorize the Department of Agriculture to place penalties upon strictly local sales of cotton. This decision is the basis of the cotton-support program. Our courts, in *Wallace* against *Curran*, also held that Congress, under the commerce power, had the authority to prohibit the local auctioning of tobacco, unless it was first inspected and graded.

In both cases Congress, under its commerce power, asserted authority over the day-to-day activities of business enterprises. Upon these decisions is based the authority of the Department of Agriculture to conduct its cotton price-support program and the tobacco-inspection program. These laws affect purely local activities and limit the freedom of action of individual businessmen every bit as much as would the bill which is the subject of this motion. I do not believe that the opponents would argue that Congress did not have authority to act in these cases.

Fair employment practices are clearly subject to the control of Congress. The failure of employers to utilize fully the high skills available to them in the labor force adversely affects the free flow of commerce. Discriminatory practices in some States, which have resulted in cheap sources of labor, burden interstate commerce to the extent that they create a detriment to other States where the cost of labor has not been depressed through discriminatory practices. I have no doubt of the authority of Congress to pass this bill.

Those who question the constitutionality of the bill point to the reserved power of the States under the tenth amendment. The argument ceases to have any force at all, once it is assumed that Congress has authority to act under the commerce clause. This will be made clear by the following quotation from *Troppy* against *LaSara Farmers Gin Co.*, the case which sustained the validity of the cotton price-support program:

The tenth amendment is not applicable to Federal regulations within the scope of the commerce power, because in case of conflict this power granted to the Federal Government dominates the power reserved to the States.

I submit that we should not delay action here because of any fear that this bill is not within the authority of Congress. The decisions of our courts establish the power of Congress beyond any serious doubt.

In conclusion, I want again to impress upon the Members of this body the grave responsibility which the Senate accepted in approving our present cloture rule. It is clearly our duty to the American people to exert every effort and to do all in our power to obtain cloture on the motion to take up the FEPC bill.

The enactment of a fair-employment-practice law will be a positive step forward. We will be rededicating ourselves to the basic ideals of democracy. I am confident that this proposed legislation, which has been most carefully drafted, can be successfully administered in every part of the country. I am confident that most southern communities, once they have become familiar with the great objectives of this bill, will give it their finest cooperation.

The power to act is clearly defined within the authority of Congress. The solution to this serious problem can wait no longer. I therefore sincerely hope that the cloture motion will be adopted.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators be permitted to present petitions and memorials, introduce bills and joint resolutions, and submit routine matters for the Record without debate and without speeches.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

RELIEF OF CERTAIN CONTRACTORS IN CONSTRUCTION OF UNITED STATES APPRAISERS BUILDING, SAN FRANCISCO, CALIF.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 794) for the relief of certain contractors employed in connection with the construction of the United States Appraisers Building, San Francisco, Calif., which were, on page 1, line 10, strike out all after "California:" over to and including "\$2,902.23;" on page 2, line 1; on page 2, line 1, strike out "\$105,286.51" and insert "\$36,127.93;" on page 2, line 2, strike out "\$40,892.56" and insert "\$27,221.01;" on page 2, line 3, strike out "\$23,910.04" and insert "\$15,044.93;" and on page 2, line 4, strike out "\$9,283.00" and insert "\$5,366.40; Plant Rubber and Asbestos Works, \$3,502.17; Emil Solve, \$2,483.34; Dohrmann Hotel Supply Co., \$97.30; Mundet Cork & Co., \$7,253.95; S. H. Pomeroy, \$8,128.18; Fire Protection Products Co., \$395.49; Lamson Corp., \$267.84; Texas Quarries, \$709.84; Frank B. Smith, \$1,509; Turner Resilient Floors, Inc., \$4,068.02; D. N. and E. Walter & Co., \$573.93; Phoenix Simpton Co., \$362.13; and Acme Floors, \$115.92."

Mr. McCARRAN. Mr. President, I made a brief explanation of the House changes yesterday, and I now move that the Senate concur in the House amendments.

The motion was agreed to.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PERMISSION FOR NATIONAL BANKS TO GIVE SECURITY FOR DEPOSIT OF CERTAIN FUNDS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to permit national banks to give security in the form required by State law for deposits of funds by local public agencies and officers (with accompanying papers); to the Committee on Banking and Currency.

AMENDMENT OF UNITED STATES CODE ENTITLED "COAST GUARD"

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend title 14, United States Code, entitled "Coast Guard" (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

A letter from the Acting Attorney General, withdrawing the names of Helga Jonsson or Helga Gudmundsdottir and Sigmundur Magnus Jonsson from a report relating to aliens whose deportation he suspended more than 6 months ago, transmitted to the Senate on January 16, 1950; to the Committee on the Judiciary.

STATUS OF PERMANENT RESIDENCE TO MIHAIL MARINESCU OR MIHAI Z. MARINESCU

A letter from the Acting Attorney General, transmitting, pursuant to law, a copy of the order of the Commissioner of the Immigration and Naturalization Service granting the status of permanent residence to Mihail Marinescu or Mihai Z. Marinescu, together with a complete and detailed statement of the facts and pertinent provisions of law and the reasons for granting him such status (with an accompanying paper); to the Committee on the Judiciary.

EXTENSION OF AUTHORITY FOR OPERATION OF TEXAS CITY TIN SMELTER

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a draft of proposed legislation to strengthen the common defense by extending for 5 years the authority for the Texas City tin-smelter operation (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON OPERATIONS OF GENERAL ACCOUNTING OFFICE UNDER CONTRACT SETTLEMENT ACT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the activities of the General Accounting Office under section 16 of the Contract Settlement Act of 1944 (with an accompanying report); to the Committee on the Judiciary.

AUDIT REPORT OF GOVERNMENT SERVICES, INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of Government Services, Inc., for the fiscal year ended December 31, 1948 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

Resolutions of the General Court of the Commonwealth of Massachusetts, relating to Federal fair employment practices legislation; ordered to lie on the table.

(See resolutions printed in full when presented by Mr. SALTONSTALL (for himself and Mr. LODGE) on May 18, 1950, pp 7190-7191, CONGRESSIONAL RECORD.)

Resolutions of the General Court of the Commonwealth of Massachusetts, relating to the reduction to 60 years the age for eligibility for old-age assistance, which was referred to the Committee on Finance.

(See resolutions printed in full when presented by Mr. SALTONSTALL (for himself and Mr. LODGE) on May 18, 1950, pp 7190-7191, CONGRESSIONAL RECORD.)

Resolutions of the General Court of the Commonwealth of Massachusetts, relating to funds for public-works projects for the Commonwealth of Massachusetts; to the Committee on Public Works.

(See resolutions printed in full when presented by Mr. SALTONSTALL (for himself and Mr. LODGE) on May 18, 1950, pp. 7190-7191, CONGRESSIONAL RECORD.)

A resolution adopted by the Louisiana State Bar Association, at Monroe, La., protesting against the enactment of House bill 3111, granting of admiralty jurisdiction to the bankrupt court; to the Committee on the Judiciary.

A resolution adopted by the Massachusetts Department, Auxiliary to the Sons of Union Veterans of the Civil War, of Lexington, Mass., relating to protection of the American flag and the pledge of allegiance; to the Committee on the Judiciary.

Letters in the nature of memorials from Joseph H. Brown and Wesley E. Cauthorn, both of Chickamauga, Ga., Carl R. Johnson, of Ooltewah, Tenn., and Arthur E. Kirby, remonstrating against the enactment of amendments to the so-called Taft-Teague bill, S. 2596, relating to education or training of veterans under title II of the Servicemen's Readjustment Act (Public Law 346, 78th Cong., June 22, 1944); to the Committee on Labor and Public Welfare.

A telegram in the nature of a memorial from local 122, United Shoe Workers of America, CIO, signed by George C. Knapp, business agent, remonstrating against the enactment of the so-called Mundt-Ferguson bill, S. 2311, to protect the United States against certain un-American and subversive activities, and for other purposes; ordered to lie on the table.

SOUTHWEST POWER ADMINISTRATION— LETTER AND RESOLUTION OF BOARD OF CITY COMMISSIONERS OF OTTAWA, KANS.

Mr. SCHOEPPPEL. Mr. President, I am in receipt of a letter from L. I. Crater, city clerk, of Ottawa, Kans., transmitting a resolution adopted by the Board of City Commissioners, of Ottawa, relating to House bill 7786, the omnibus appropriation bill, which includes appropriations for the Southwest Power Administration, amounting to about \$16,350,000. I present the letter and resolution for appropriate reference, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the letter and resolution were referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

THE CITY OF OTTAWA,
Ottawa, Kans., May 15, 1950.
The Honorable ANDREW SCHOEPPPEL,
United States Senator,
Washington, D. C.

DEAR SENATOR SCHOEPPPEL: We are transmitting herewith a copy of a resolution passed by the Board of City Commissioners, Ottawa, Kans., at the regular meeting, May 10, 1950.

The text of this resolution represents the consolidated views of a number of the cities of southeastern Kansas. These views were crystallized at a meeting held April 24, 1950, in Chanute, Kans. Present at that meeting were officials, or representatives, of the following cities: Kansas City, Kans.; Ottawa, Kans.; Osawatomie, Kans.; Fredonia, Kans.; Garnett, Kans.; McPherson, Kans.; Chanute, Kans.; Neodesha, Kans., and Girard, Kans.

It was the opinion of those present, that current policies of the Federal Government, if continued will lead us away from our constitutionally founded system of freedom, individual enterprise and personal initiative. The thought prevailed that immediate and energetic action is mandatory if we wish to continue as a free people. With particular reference to the illogical, unnecessary and undesirable encroachment of the Southwest Power Administration into areas al-

ready adequately served, a committee appointed by the chairman of that meeting has prepared this resolution. It has been carefully considered by our board of commissioners at a regular meeting and their approval made a matter of official action.

In transmitting this resolution to you, the board asks for your earnest consideration of the resolution, and that you personally request the Interior Department Subcommittee on Appropriations to give this resolution particular attention.

I have the honor to remain,

Respectfully yours,

L. I. CRATER,
City Clerk.

Whereas there is now pending in the Congress of the United States a bill known as the omnibus appropriation bill for fiscal 1951 (H. R. 7786), one part of which includes appropriations for the Southwest Power Administration (SPA), an agency of the Department of the Interior, which appropriation amounts to some \$16,350,000; and

Whereas such bill sets out that such appropriation is to be used for the purpose of constructing certain transmission lines and related facilities and engineering studies relating thereto in certain portions of the Middle Western and Southwestern United States, including eastern and southeastern Kansas; and

Whereas the construction of such facilities would result in a duplication of electric power facilities in such area; and

Whereas a study of the proposed program of the Federal Government for distributing Government-produced electric power in such middle western area indicates that such Federal program is but an additional attempt, in the guise of furnishing electric power to the public at a lesser cost, to further project the strong arm of the Federal Government into private business, and to invade the sphere and rights of local and State governmental bodies; and

Whereas such an effort, if a fact, should be condemned as un-American and unwholesome; and

Whereas, even though said action might be in good faith, it is lacking in wisdom in its ultimate effect; and

Whereas such action would produce a duplication of power in the area referred to in this resolution; and

Whereas the municipal-owned power plants within said area now have adequate capacity and the means for projecting additional capacity for the furnishing of the power requirements of their localized municipal area; and

Whereas Kansas, through a benevolent Government, has been able to successfully establish and operate many REA cooperatives in said area; and

Whereas such power has been made available by the municipalities and the utility companies for the successful operation of all industry requiring electric power within the area, including all municipal and REA requirements, and far-reaching plans are now being projected by these existing power suppliers to furnish all additional power as may be needed; and

Whereas said power now being furnished to the consumers thereof is being produced and sold at rates brought about in the American way by bargaining between producer and consumer, as evidenced by the many contracts in existence throughout the State of Kansas; and

Whereas the Federal Government's production and transmission of power through the area would tend to create a Federal Government monopoly of power, and would eliminate many elements of business that now are producing, transmitting, and distributing power and which support local, State, and Federal Government and the payment of taxes; and

Whereas the effect of carrying out this design on the part of the Federal Government in the exercising of its sovereign power would be to weaken and take away from private enterprise and local governmental units through inherent characteristics of freedom, would result in the loss of self-respect, and the loss of the idea of thrift and self-confidence; and

Whereas the ultimate results of the proposed action would result in a weakened community in which they seek to serve; would result in said community becoming more and more dependent upon the Federal Government; would create an intolerable condition that shocks the conscience of Kansans who respect the principle of freedom; and

Whereas the amount of electric power now available satisfactorily meets the demands of the consumers in the area; and in view of the far more important considerations referred to above, such action on the part of the Federal Government should be condemned: Therefore be it

Resolved by the Governing Body of the City of Ottawa, Kans., and it herewith expresses itself for the purpose of preserving free enterprise, That it condemn the spirit of the program to extend public power into the projects contemplated by the SPA in the omnibus appropriation bill for fiscal 1951, and that it urge the members of the Kansas congressional delegation to use the influence of their high office in preserving the idea of thrift, self-respect, and confidence in government by vigorous action in opposition to the appropriation being requested by the SPA in such proposed bill.

Adopted by a unanimous vote of the Governing Body of the City of Ottawa, Kans., this 10th day of May 1950.

ROBERT W. LUCE,

Mayor.

GEORGE W. HERZOG,

Commissioner of Finance and Revenue.

K. E. ANDREWS,

Commissioner of Streets and Utilities.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HUNT, from the Committee on Armed Services:

S. 3520. A bill to strengthen the common defense by providing for continuation and expansion of Western Hemisphere production of abaca by the United States; with amendments (Rept. No. 1678).

By Mr. CHAPMAN, from the Committee on Armed Services:

H. R. 5368. A bill to authorize the Departments of the Army, Navy, and Air Force to participate in the transfer of certain real property or interests therein, and for other purposes; with amendments (Rept. No. 1687).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 2949. A bill authorizing the Secretary of the Interior to issue a patent in fee to James Chief, to certain lands; with amendments (Rept. No. 1679).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 3128. A bill authorizing the issuance of a patent in fee to John D. Decora; with amendments (Rept. No. 1680);

S. 3130. A bill authorizing the issuance of a patent in fee to Lot Smith and Helen Seymour Smith, heirs of Charles Smith, deceased; with amendments (Rept. No. 1681); and

H. R. 6521. A bill to authorize the sale of certain land on the Pine Ridge Indian Reservation, S. Dak., allotted to Lucy Arapahoe Iron Bear; without amendment (Rept. No. 1682).

By Mr. McCLELLAN, from the Committee on Expenditures in the Executive Departments:

Reorganization Plan No. 2 of 1950, providing for reorganizations in the Department of Justice; favorably (Rept. No. 1683); and Reorganization Plan No. 6 of 1950, providing for reorganizations in the Department of Labor; favorably (Rept. No. 1684).

By Mr. O'CONNOR, from the Committee on Expenditures in the Executive Departments:

Reorganization Plan No. 10 of 1950, providing for reorganizations in the Securities and Exchange Commission; favorably (Rept. No. 1685); and

Reorganization Plan No. 13 of 1950, providing for reorganization in the Civil Aeronautics Board; favorably (Rept. No. 1686).

TERRITORIAL ENABLING ACT OF 1950— REPORT OF A COMMITTEE

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I report an original bill which will enable the governments of Alaska, Hawaii, Puerto Rico, and the Virgin Islands to take advantage of the present housing legislation passed by the Congress, and I submit a report (No. 1688) thereon. The Committee on Banking and Currency ordered the bill reported today.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

The bill (S. 3635) to enable the governments of Alaska, of Hawaii, of Puerto Rico, and the Virgin Islands to authorize public bodies or agencies to undertake slum clearance, urban redevelopment, and low-rent housing activities including the issuance of bonds and other obligations, to amend the low-rent housing enabling statutes for Alaska and Hawaii, and for other purposes, reported by Mr. MAYBANK, from the Committee on Banking and Currency, was read by its title and placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CORDON (by request):

S. 3623. A bill to authorize payment of salaries and expenses of officials of the Klamath Tribe; and

S. 3624. A bill to provide for a final settlement of individual shares in the tribal estate and assets of the Klamath Indians through voluntary withdrawal from membership in the Klamath Tribe of Indians, of Oregon; to the Committee on Interior and Insular Affairs.

(Mr. LUCAS (for himself Mr. MAYBANK, Mr. O'MAHONEY, and Mr. SPARKMAN) introduced Senate bill 3625, to make capital and credit more readily available for financing small business, foster competition, and coordinate Federal aids to small business, and thus to promote, foster, and develop the domestic and foreign commerce of the United States, and for other purposes, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. HUMPHREY:

S. 3626. A bill for the relief of Kajiko Kajitani;

S. 3627. A bill for the relief of Mary Gemma Kawamura; and

S. 3628. A bill for the relief of Fukuko Endo; to the Committee on the Judiciary.

By Mr. LONG:

S. 3629. A bill for the relief of Joseph A. Myers, Hazel C. Myers, and Helen Myers; to the Committee on the Judiciary.

(Mr. YOUNG introduced Senate bill 3630, authorizing the construction of flood-control work on Little Missouri River and Little Beaver Creek, North Dakota, which was referred to the Committee on Public Works, and appears under a separate heading.)

By Mr. McCARRAN:

S. 3631. A bill to authorize the establishment of the Virginia City National Historical Monument in the State of Nevada; to the Committee on Interior and Insular Affairs.

By Mr. HUNT:

S. 3632. A bill authorizing loans from the United States Treasury for the expansion of the District of Columbia water system, and authorizing the United States to pay for water and water services secured from the water system; to the Committee on the District of Columbia.

By Mr. WILEY:

S. 3633. A bill for the relief of Tadeusz Herka; and

S. 3634. A bill for the relief of Wacław Betlejewski; to the Committee on the Judiciary.

(Mr. MAYBANK, from the Committee on Banking and Currency, reported an original bill (S. 3635) to enable the governments of Alaska, of Hawaii, of Puerto Rico, and the Virgin Islands to authorize public bodies or agencies to undertake slum clearance, urban redevelopment, and low-rent housing activities including the issuance of bonds and other obligations, to amend the low-rent housing enabling statutes for Alaska and Hawaii, and for other purposes, which was placed on the calendar, and appears under a separate heading.)

(Mr. FULBRIGHT introduced Senate Joint Resolution 183, to suspend the application of certain Federal laws with respect to attorneys and assistants employed by Subcommittee on Reconstruction Finance Corporation of the Banking and Currency Committee of the Senate in connection with the study ordered by Senate Resolution 219, Eighty-first Congress, second session, which was passed, and appears under a separate heading.)

SMALL BUSINESS ACT OF 1950

Mr. LUCAS. Mr. President, on behalf of the Senator from South Carolina [Mr. MAYBANK] the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Alabama [Mr. SPARKMAN], and myself, I introduce for appropriate reference a bill which may be cited as the Small Business Act of 1950.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3625) to make capital and credit more readily available for financing small business, foster competition, and coordinate Federal aids to small business, and thus to promote, foster, and develop the domestic and foreign commerce of the United States, and for other purposes, introduced by Mr. LUCAS (for himself, Mr. MAYBANK, Mr. O'MAHONEY, and Mr. SPARKMAN), was read twice by its title, and referred to the Committee on Banking and Currency.

Mr. MAYBANK. Mr. President, I merely want to say that the Banking and Currency Committee has before it several small-business bills at this time, and the committee will begin hearings next week on those bills, and the bill just introduced.

CONSTRUCTION OF FLOOD-CONTROL WORK ON LITTLE MISSOURI RIVER AND LITTLE BEAVER CREEK, N. DAK.

Mr. YOUNG. Mr. President, I introduce for appropriate reference a bill authorizing the construction of flood-control work on Little Missouri River and Little Beaver Creek, N. Dak., and I ask that a brief statement by me be printed in the body of the RECORD with reference to the bill.

Mr. CONNALLY. Reserving the right to object, what is it that the Senator wants to put into the RECORD?

Mr. YOUNG. A brief explanation of a bill.

Mr. CONNALLY. Why not put it in the Appendix?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. YOUNG. I yield.

Mr. TAFT. Mr. President, it has been universally customary, when a Senator introduces a bill to have a statement explaining it printed in the RECORD. That refers, likewise, to resolutions, such as the one presented by the Senator from New York [Mr. Ives].

Mr. CONNALLY. Mr. President, I thought I had the floor.

The VICE PRESIDENT. The Senator has reserved the right to object.

Mr. CONNALLY. Yes; I have. I thank the Senator from Ohio for instructing me on the points which I have presented. If what the Senator from North Dakota wishes to have printed in the RECORD is merely a statement, and it appears as a statement, I shall not object.

Mr. YOUNG. Mr. President, I ask unanimous consent to read the statement. It will not take more than a minute. It is on a very important subject, regarding the flood at Winnipeg as it extends to the North Dakota-Minnesota line on the United States side.

The VICE PRESIDENT. Without objection, the Senator may proceed.

Mr. YOUNG. Mr. President, I am introducing the bill for the purpose of having an early review made by the Board of Engineers for Rivers and Harbors of their earlier recommendations for flood-protection works in the Red River of the North Basin, and also for the purpose of urging a speed-up of the cooperative studies thereon already under way by both United States and Canada.

On January 12, 1948, the International Joint Commission was requested by the Governments of Canada and the United States to make investigations and report covering waters from the western boundary of the Milk River Drainage Basin on the west to and including the drainage basin of the Red River of the North (Minn.-N. Dak.) on the east. These investigations should be expedited with a view to securing the earliest possible action toward alleviation of the serious flood problems which are plaguing the Red River Basin.

The disastrous floods of April and May, 1950, which affected millions of acres of land and important centers of population in both Canada and the United States have again called attention to

the need for prompt and vigorous action to prevent recurrence of these damaging floods. It is my earnest hope that the work under way may be accelerated, and that the Army engineers may find ways to further improve their plans to meet the situation.

The bill (S. 3630) authorizing the construction of flood-control work on Little Missouri River and Little Beaver Creek, North Dakota, introduced by Mr. YOUNG, was read twice by its title, and referred to the Committee on Public Works.

DISAPPROVAL OF PARTICIPATION BY UNITED STATES IN CERTAIN INTERNATIONAL ORGANIZATIONS

Mr. JENNER submitted the following resolution (S. Res. 277), which was referred to the Committee on Foreign Relations:

Resolved, That the Senate does not favor participation by the United States in any international organization outside of the United Nations which involves the surrender of our national sovereignty or any part thereof or which in any way impairs our legislative processes.

AMENDMENT OF RULE RELATING TO ORDER IN DEBATE

Mr. NEELY submitted the following resolution (S. Res. 278), which was referred to the Committee on Rules and Administration:

Resolved, That paragraph 4 of rule XIX of the Standing Rules of the Senate is amended to read as follows:

"4. (a) If a Senator, in speaking or otherwise, transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order. When a Senator is called to order by another Senator, the Presiding Officer shall, without debate, immediately decide whether the Senator who has been called to order has violated a Senate rule. The decision shall be subject to an appeal to the Senate which shall, without debate, be decided at once. When the Presiding Officer calls a Senator to order, an appeal shall lie from such action to the Senate and it shall be decided at once, without debate.

"(b) When it is determined under this rule that a Senator is not in order, he shall sit down, and not proceed without leave of the Senate. If such leave is granted, it shall be upon motion that the speaker be allowed to proceed in order. This motion shall be decided without debate."

GENERAL APPROPRIATIONS, 1951—AMENDMENT

Mr. YOUNG submitted an amendment intended to be proposed by him to the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

CREDIT TO COMMERCIAL AND INDUSTRIAL ENTERPRISES—AMENDMENT

Mr. O'MAHONEY submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 2975) to establish corporations to assist financial institutions in making credit available to commercial and industrial enterprises and to provide capital for such enterprises, which was referred to the Committee on Banking and Currency, and ordered to be printed.

REMARKS OF THE PRESIDENT AT BRECKENRIDGE, MINN.

[Mr. HUMPHREY asked and obtained leave to have printed in the Record the remarks of President Truman, made on the occasion of his visit to Breckenridge, Minn., on May 13, 1950, which appear in the Appendix.]

THE PRESIDENT'S MESSAGE TO 1950 CONFERENCE OF MAYORS

[Mr. HUMPHREY asked and obtained leave to have printed in the Record a copy of President Truman's message to the 1950 conference of mayors, held on May 11 to 13, 1950, in New York, N. Y., which appears in the Appendix.]

DIAMOND JUBILEE, SONS OF THE AMERICAN REVOLUTION—ADDRESS BY SENATOR MCCARTHY

[Mr. MCCARTHY asked and obtained leave to have printed in the Record an address delivered by him before the Diamond Jubilee Convention of the Sons of the American Revolution, May 15, 1950, at the Claridge Hotel in Atlantic City, N. J., which appears in the Appendix.]

LETTER FROM SENATOR BENTON FAVORING FEPC BILL

[Mr. MYERS asked and obtained leave to have printed in the Appendix of the Record a letter written by Senator BENTON favoring the FEPC bill, published in the New York Times of Thursday, May 18, 1950, which appears in the Appendix.]

HELPING THE DAV AND DAV SERVICE FOUNDATION

[Mr. WILEY asked and obtained leave to have printed in the Record an appeal made by him for the purpose of mobilizing aid for the DAV organization and for the DAV Service Foundation, which appears in the Appendix.]

BOYS CLUBS OF AMERICA—ADDRESSES BY HON. HERBERT HOOVER AND HON. J. EDGAR HOOVER

[Mr. DARBY asked and obtained leave to have printed in the Record addresses delivered by Hon. Herbert Hoover and Hon. J. Edgar Hoover on the occasion of the final meeting of the annual convention of the Boys Clubs of America in Washington on May 18, 1950, which appear in the Appendix.]

REVISION OF ADMINISTRATIVE PROCEDURE OF CUSTOMS BUREAU—RESOLUTION OF GREATER ENDICOTT CHAMBER OF COMMERCE, ENDICOTT, N. Y.

[Mr. IVES asked and obtained leave to have printed in the Record a resolution of the board of directors of the Greater Endicott Chamber of Commerce, Endicott, N. Y., in opposition to revision of administrative procedure of the Bureau of Customs, which appears in the Appendix.]

SENATOR WILEY'S AID TO WISCONSIN DAIRY FARMERS—EDITORIAL FROM CHIPPEWA FALLS HERALD TELEGRAM

[Mr. WHERRY asked and obtained leave to have printed in the Record an editorial entitled "Waging Courageous Fight," from the Herald-Telegram of Chippewa Falls, Wis., of May 15, 1950, which appears in the Appendix.]

AMENDMENT OF SOCIAL SECURITY ACT—STATEMENT BY SENATOR LEHMAN

[Mr. LEHMAN asked and obtained leave to have printed in the Record a statement issued by him on the subject of a bill to be introduced to amend the Social Security Act, extending its public assistance provisions to the people of Puerto Rico and the Virgin Islands, which appears in the Appendix.]

PLIGHT OF DAIRY FARMERS IN NEW YORK

[Mr. LEHMAN asked and obtained leave to have printed in the Record excerpts from a letter discussing the plight of the dairy farmers in New York, written by William E. Maier, under date of May 10, 1950, which appear in the Appendix.]

REMOVAL OF EXEMPTION APPLICABLE TO PUBLIC CONTRACTS PERFORMED IN PUERTO RICO AND THE VIRGIN ISLANDS

[Mr. LEHMAN asked and obtained leave to have printed in the Record a statement issued by him commenting on a proposal by the Secretary of Labor to remove the administrative exemption applicable to public contracts performed in Puerto Rico and the Virgin Islands, and also the announcement by the Secretary, which appear in the Appendix.]

FORCE AGAINST THE PUBLIC—EDITORIAL FROM THE KANSAS CITY TIMES

[Mr. DONNELL asked and obtained leave to have printed in the Record an editorial entitled "Force Against the Public," published in the Kansas City (Mo.) Times of Thursday, May 11, 1950, which appears in the Appendix.]

SUCH IS A UNION'S POWER—EDITORIAL FROM THE KANSAS CITY STAR

[Mr. DONNELL asked and obtained leave to have printed in the Record an editorial entitled "Such Is a Union's Power," published in the Kansas City (Mo.) Star, May 13, 1950, which appears in the Appendix.]

THE RAILROAD STRIKE

[Mr. DONNELL asked and obtained leave to have printed in the Record an article entitled "Switchmen's Strike 'Wholly Unjustified.' Railroads Protest," from the Washington Evening Star of May 19, 1950, which appears in the Appendix.]

THE RAILROAD STRIKE—EDITORIAL FROM THE ST. LOUIS POST-DISPATCH

[Mr. DONNELL asked and obtained leave to have printed in the Record an editorial entitled "Now That the Strike Is Over," from the St. Louis Post-Dispatch of May 17, 1950, which appears in the Appendix.]

POINT 4 AND SOUTHEAST ASIA—EXCERPTS FROM STATEMENT BY RADEN SUDJATMOKO

[Mr. KILGORE asked and obtained leave to have printed in the Record excerpts from a statement by Mr. Raden Sudjatmoko, acting chief of the Indonesian Observer's Mission to the United Nations, on the subject of point 4 and southeast Asia, delivered before the fifty-fourth annual meeting of the American Academy of Political and Social Science, on April 15, 1950, which appear in the Appendix.]

THE ST. LOUIS STAR-TIMES RECEIVES MISSOURI UNIVERSITY AWARD—ADDRESS BY ELZEY ROBERTS

[Mr. KEM asked and obtained leave to have printed in the Record an address delivered by Elzey Roberts, publisher, on the occasion of the award to the St. Louis Star-Times of a citation conferred by the University of Missouri for distinguished service to journalism, which appears in the Appendix.]

THE SIREN SONG OF SOCIALISM—EDITORIAL FROM THE INDIANAPOLIS STAR

[Mr. CAPEHART asked and obtained leave to have printed in the Record an editorial entitled "The Siren Song of Socialism," published in the Indianapolis (Ind.) Star of Tuesday, May 16, 1950, which appears in the Appendix.]

ACHESON MUST GO—EDITORIAL FROM WASHINGTON TIMES-HERALD

[Mr. JENNER asked and obtained leave to have printed in the RECORD an editorial entitled "Acheson Must Go," from the Washington Times-Herald of May 19, 1950, which appears in the Appendix.]

DEVIATION OF REORGANIZATION PLANS FROM RECOMMENDATIONS OF HOOVER COMMISSION—EDITORIAL FROM THE NEW YORK HERALD TRIBUNE

Mr. SMITH of New Jersey. Mr. President, I think I speak not only for myself but for many of my colleagues in expressing great regret that the President of the United States in submitting certain of the reorganization plans, has apparently missed the spirit of the Hoover Commission recommendations, and, in some instances, has definitely changed the direction which the Hoover Commission intended, in making its recommendations. It had been my own personal hope that I could support each of the reorganization plans, which I confidently expected would be in line with the recommendations of the Hoover Commission. It has been a matter of great regret to me to have to oppose some of these plans. I merely make this preliminary statement, in asking unanimous consent that there be incorporated at this point in my remarks an editorial which appeared in the New York Herald Tribune this morning, entitled "The President's Error."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S ERROR

The results of the President's error in playing politics with the Hoover Commission reports are now glaringly apparent. Among the 21 reorganization proposals which Mr. Truman submitted to Congress in March, 19 were close to the spirit of the Commission's recommendations. Two, however—those relating to the National Labor Relations Board and the Maritime Commission—diverged sharply; the first constituted an effort by Mr. Truman to legislate Mr. Denham, the NLRB counsel out of office, and the second would have destroyed the Maritime Commission's independence in a field where the Hoover Commission believed it should be retained. These mistakes were all that the congressional opponents of reorganization needed. One after another, proposals on the rest of the program are being voted down.

The President does not appear to have realized that the task of streamlining the Government was so big, so delicate, that it would need all the prestige of the Hoover Commission behind every plan, all of the popular support that could be mustered. The fear of Congressmen—and the many interests affected by Government agencies—that efficiency would be used as an excuse for executive usurpation, is very strong. The quality of the leadership and membership in the Hoover Commission was high enough to give the proponents of governmental reform a fighting chance. But when Mr. Truman loaded down his plans with palpable efforts to achieve political ends, all the supporters of the status quo leaped joyfully into the struggle, and are making a hash of the whole program.

It might be argued, with justice, that Congress should be more selective, that the Senators who are using arguments which are only valid against a few of the reorganization plans to condemn them all, are being neither fair nor wise. But it was the

President who gave the initial grounds for suspicion and it is he who must bear the final responsibility. The reforms projected by the Hoover Commission are urgently needed; they are basic to any attempt to cut Government costs by efficient administration. Mr. Truman's efforts to use reorganization for any other purpose casts doubt upon his sincerity in tackling this problem at all, and jeopardizes a great national movement.

FEDERAL FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed consideration of the motion of Mr. LUCAS to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin.

Mr. TAFT. Mr. President, I ask that the following statement be incorporated in the body of the RECORD. It was issued by me on last Monday, and I shall read the first two sentences:

I intend to join in a cloture petition this week and vote for cloture to limit debate on the motion to take up the FEPC bill, which motion has been pending before the Senate already for 10 days.

I have always felt that a majority of the Senate should have the right to take up any measure it desires to debate and, after adequate debate, to vote on such measure regardless of the merits of the measure itself.

I ask that the entire statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I intend to join in a cloture petition this week and vote for cloture to limit debate on the motion to take up the FEPC bill, which motion has been pending before the Senate already for 10 days.

I have always felt that a majority of the Senate should have the right to take up any measure it desires to debate and, after adequate debate, to vote on such measure regardless of the merits of the measure itself. I know that all Republican leaders are urging Republican Senators to take similar action. At least 75 percent of the Republicans, and probably more, will vote to limit debate. If the Democrats can do as well, cloture will be voted, or even if they get a much smaller percentage of their 54 votes.

Before the Chicago meeting of the Democratic Party breaks up, I hope President Truman, Senate Majority Leader Scott Lucas, and Democratic Senate Campaign Chairman Clinton F. Anderson will get down to cases and arrange for the necessary votes instead of talking in beautiful terms about the theory of civil rights.

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. It is 1 o'clock, and the Chair must lay before the Senate the motion to close debate, which involves, automatically a quorum call.

The hour of 1 o'clock having arrived, the Chair lays before the Senate a motion adequately signed by a sufficient number of Senators to close debate on the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate bill 1728. The Secretary will call the roll to ascertain if a quorum is present.

The roll was called, and the following Senators answered to their names:

Alken
Anderson
Benton
Brewster

Bricker
Bridges
Butler
Byrd

Cain
Capehart
Chapman
Connally

Cordon
Darby
Donnell
Douglas
Dworschak
Eastland
Eaton
Ellender
Ferguson
Flanders
Fulbright
George
Gillette
Green
Gurney
Hayden
Hendrickson
Hickenlooper
Hill
Hoey
Holland
Humphrey
Hunt
Ives

Jenner
Johnson, Colo.
Johnson, Tex.
Johnston, S. C.
Kefauver
Kem
Kerr
Kilgore
Knowland
Leahy
Lehman
Lodge
Long
Lucas
McCarran
McCarthy
McClellan
McFarland
McKellar
McMahon
Magnuson
Malone
Martin
Maybank

Mundt
Myers
Neely
O'Connor
O'Mahoney
Robertson
Russell
Saltonstall
Schoeppel
Smith, Maine
Smith, N. J.
Sparkman
Stennis
Taft
Taylor
Thomas, Utah
Thye
Tobey
Vandenberg
Watkins
Wherry
Wiley
Williams
Young

The VICE PRESIDENT. A quorum is present. The question before the Senate is, Is it the sense of the Senate that the debate shall be brought to a close? Those who favor bringing the debate to a close will vote "yea" when their names are called; those who are opposed will vote "nay." The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAPMAN (when Mr. WITHERS' name was called). My colleague, the junior Senator from Kentucky [Mr. WITHERS], is necessarily absent today. I am authorized by him to say that if he were present he would vote "nay."

The roll call was concluded.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from California [Mr. DOWNNEY] and the Senator from North Carolina [Mr. GRAHAM] are absent because of illness.

The Senator from Delaware [Mr. FREAR] is absent by leave of the Senate on official business.

The Senator from Montana [Mr. MURRAY] is absent because of a death in his family.

The Senator from Florida [Mr. PEPPER] is absent on public business.

The Senator from Maryland [Mr. TYDINGS] is absent on official business in connection with his duties as chairman of a subcommittee of the Committee on Foreign Relations.

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Montana [Mr. MURRAY], and the Senator from Oklahoma [Mr. THOMAS] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Oregon [Mr. MORSE] are absent by leave of the Senate. If present and voting, the Senator from North Dakota [Mr. LANGER] and the Senator from Oregon [Mr. MORSE] would each vote "yea."

The yeas and nays resulted—yeas 52, nays 32, as follows:

YEAS—52

Alken
Anderson
Benton

Brewster
Bricker
Butler

Cain
Capehart
Cordon

Darby	Kilgore	Schoeppel
Donnell	Knowland	Smith, Maine
Douglas	Leahy	Smith, N. J.
Dworschak	Lehman	Taft
Ferguson	Lodge	Taylor
Flanders	Lucas	Thomas, Utah
Gillette	McCarthy	Thye
Green	McMahon	Tobey
Hendrickson	Magnuson	Vandenberg
Hickenlooper	Martin	Watkins
Humphrey	Myers	Wherry
Hunt	Neely	Wiley
Ives	O'Connor	Williams
Jenner	O'Mahoney	
Kem	Saltonstall	

NAYS—32

Bridges	Hill	McFarland
Byrd	Hoey	McKellar
Chapman	Holland	Malone
Connally	Johnson, Colo.	Maybank
Eastland	Johnson, Tex.	Mundt
Eaton	Johnston, S. C.	Robertson
Ellender	Kefauver	Russell
Fulbright	Kerr	Sparkman
George	Long	Stennis
Gurney	McCarran	Young
Hayden	McClellan	

NOT VOTING—12

Chavez	Langer	Pepper
Downey	Millikin	Thomas, Okla.
Frear	Morse	Tydings
Graham	Murray	Withers

The VICE PRESIDENT. On this vote the "yeas" are 52, the "nays" 32. Under the rule, the votes of 64 Members of the Senate, or two-thirds of those duly elected and sworn, would be required to carry the motion, and not having received a sufficient number, the motion is not agreed to.

FAILURE OF CLOTURE RULE

Mr. LUCAS. Mr. President, the effort to bring to a close by a cloture motion the debate on the motion to consider the FEPC bill has failed. Naturally, I regret that the Senate of the United States would not, by 64 votes, at least give this great deliberative body an opportunity to discuss the merits and the demerits of the bill. The motion will still be the unfinished business. A number of Senators were unavoidably absent, and I am sure that another vote upon the motion to consider the bill, through a cloture petition, will bear greater fruit in the future.

I am willing that the unfinished business be laid aside temporarily for the purpose of taking up some of the measures now on the calendar, especially some of the resolutions regarding reorganization plans, which the Senator from Colorado [Mr. JOHNSON] served notice on the Senate yesterday he would ask to have considered immediately following the vote upon the cloture motion.

I again say, Mr. President, that I regret the result of the vote. I regret that Senators were unavoidably absent. It was a tremendously important vote. We shall carry on the fight, and get another vote on the motion at some time when a greater number of Senators are present than at this hour.

Mr. President, do I correctly understand that the Senator from Colorado desires to have considered a reorganization plan?

Mr. WHERRY. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. WHERRY. If the Senator from Illinois is going to yield the floor, I should like to have a chance to be recognized.

Mr. LUCAS. I thought the Senator from Colorado desired to proceed.

Mr. JOHNSON of Colorado. The Senator from Maine [Mr. BREWSTER] desires to call up the reorganization plan with respect to the Maritime Commission, and he is on his feet ready to call it up.

The VICE PRESIDENT. Does the Senator from Nebraska desire recognition?

Mr. WHERRY. I should like to have recognition.

The VICE PRESIDENT. The Senator is accorded it.

Mr. WHERRY. I thank the Chair.

Mr. President, the vote on cloture, just taken, shows very definitely, in my opinion, that the Democratic Party cannot keep its promises. The Democratic Party is split wide open. I point out that 78½ percent of the Republican membership of the Senate voted for cloture, and only 36½ percent of the Democrats voted for cloture.

For the first time in the history of the United States Senate we have had an out-and-out vote on the issue of applying cloture under a petition filed to close debate on a motion.

The people of the United States who are wondering what is going to be done can see from this vote who their friends are, and who can make good on their promises. Despite the fact that the Republican Party has only 42 seats in the Senate, compared to 54 for the Democrats, we produced this morning 14 more votes for cloture than did the Democratic Party. The vote of 52 Senators in support of cloture was 4 votes short of the number required under the old rule, which provided that there must be a two-thirds vote of the Senators present in order to adopt cloture. Therefore, so far as the followers and advocates of FEPC are concerned, it does not make any difference whether the vote today had been taken under the old rule or under the new rule. Whether it had been taken under the old rule or under the new rule, it would have failed to provide cloture. Even under the old rule, the vote today failed by 4 votes to provide cloture. On the basis of the showing made on the Democratic side, if we are to have cloture after a petition has been filed asking for cloture, the majority leader had better endeavor to have the rule amended so as to provide for a constitutional majority rather than a rule providing for a two-thirds vote of the Senators who are present.

Mr. President, today's vote in the Senate shows that the Republican Party is the party of the Great Emancipator, Abraham Lincoln, and that the Republican Party is the only agency through which equal opportunity for legislation of this kind can be guaranteed to the voters of the United States of America.

Mr. BREWSTER. Mr. President—

The VICE PRESIDENT. The Chair recognizes the Senator from Maine.

Mr. MALONE. Mr. President, will the Senator from Nebraska yield for a question?

The VICE PRESIDENT. The Senator from Nebraska has yielded the floor.

Mr. LUCAS. Mr. President, will the Senator from Maine yield so I may make a few appropriate remarks?

Mr. BREWSTER. Mr. President, I ask unanimous consent that the distinguished majority leader be permitted to make such comments as he thinks appropriate, without prejudicing my rights to the floor.

The VICE PRESIDENT. The Chair will say to the Senator from Maine that under the circumstances, if he wishes to yield the floor, the Chair will recognize him again.

Mr. BREWSTER. Will the Chair recognize me following the remarks of the Senator from Illinois?

The VICE PRESIDENT. That is what the Chair was about to say. Ordinarily he would not make a promise of that sort, but under the circumstances, in view of his long and intimate friendship with the Senator from Maine, he will make an exception in this case. [Laughter.]

Mr. BREWSTER. I appreciate the nonpolitical character of the Chair's ruling.

The VICE PRESIDENT. Do not be so sure about that. [Laughter.]

Mr. LUCAS. Mr. President, I am not surprised that the Senator from Nebraska at this particular moment would try to inject a bit of partisanship into this debate. [Laughter.]

The VICE PRESIDENT. The Senate will be in order; likewise the galleries.

Mr. LUCAS. The Democratic Party, Mr. President, has always been split upon the subject of civil rights. Everyone knows that. I do not think there is anyone, whether he be a Democrat or a Republican, who does not believe that the Senators who come from the South have a very deep conviction and take a very tenacious position with respect to the issues which are involved in the proposed legislation.

Mr. President, I do not blame the Senator from Nebraska for trying to get out from under the rule which he, as sponsor, fastened upon the Senate last year. We remember that coalition very well, and I think the country will remember it for a long time, Mr. President. A debate took place in the Senate, lasting for some 3 weeks, during which an attempt was made to get a rule through the United States Senate by which a two-thirds majority of Senators present and voting could break a filibuster. It will be recalled that the distinguished Vice President made a ruling at the time that upon a motion to take up a measure for consideration the Senate of the United States had the right to declare the debate closed upon the favorable vote of a two-thirds majority of Senators present and voting.

That ruling afforded the greatest opportunity we ever have had in the United States Senate to break a filibuster. The country and the Senate will remember who was responsible at that particular time for the failure to sustain the decision of the Vice President of the United States. The Senator from Nebraska, who now talks about this issue, was one of the leaders of the group of Republi-

cans who overruled the decision made by the Vice President of the United States.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. LUCAS. The Senator from California was with me on that question, and I congratulate him again. I now yield to him.

Mr. KNOWLAND. Mr. President, I should like to say to the able Senator from Illinois that while it is true that a vote was taken on the ruling of the Vice President, and the junior Senator from California happened to have voted the same way the Senator from Illinois voted on the ruling, the fact remains that under the rules as they had been interpreted since the original adoption of the cloture rule, cloture would not apply against a motion to take up, and that now, for the first time, under the rules of the Senate clearly set forth, the Senate has had a chance to get a test vote on a motion to take up a measure before the Senate. The Senator will admit that that is correct, will he not?

Mr. LUCAS. I understand all that. If the Senator wants to ask me a question, that is one thing; but if he wants to make a speech, I would rather have him do so on his own time.

The truth of the matter is that the Senator from California was one of the Republican Senators who sustained the position of the Vice President at that particular time. I commended him for it then, and still do, Mr. President, because I am absolutely convinced the Vice President was right. So close were we at that time, to getting an opportunity to vote on the basis of a two-thirds majority, regardless of the number of Senators who were present that those who were opposed to such a rule saw the danger and immediately formed a coalition at that time which fastened the present unholy rule on the Senate of the United States.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I will yield in a moment. I desire to read a statement which has been issued by minority groups which are vitally interested in civil rights with respect to this rule which has been fastened upon the Senate.

I have in my hand a release dated May 18, from the National Council for a Permanent FEPC in Cooperation With National Emergency Civil Rights Mobilization:

"The Senate is in a parliamentary man-trap of its own making and can escape only by casting 64 or more votes Friday to break the filibuster on the motion to take up fair employment practice legislation," it was pointed out here today by A. Philip Randolph and Roy Wilkins, spokesmen for forces supporting the FEPC bill.

Sixty-three Senators dug this pit in which the Senate finds itself by voting for the 64-vote cloture rule March 11, 1949. They said then that the rule would work, that cloture could be secured on civil-rights legislation. The opportunity and responsibility for making it work are upon them in the vote scheduled for 1 p. m. Friday. Excluding the 22 southern Senators, there remain 10 votes more than are necessary.

We appeal to the members of both parties to see to it that 64 votes are forthcoming to save the country from having to explore the constitutional crisis that would be precipitated if it were demonstrated that many

more than a majority, but a few less than two-thirds, can be denied the democratic right even to take up a bill.

Mr. President, what I deplore as much as anything else, is that Senators, whether they are on this side of the aisle or on the other side of the aisle, on a simple motion to take up a bill will deny the Senate of the United States the right even to consider the bill.

They could at least have done so much as to give the Senate the opportunity to consider the bill, so it could be discussed from the point of view of its merits or its demerits, and thereafter have voted against a second cloture petition, if they wanted to do so. But, no; we get a "nay" vote on this side of the aisle and a "nay" vote on the other side of the aisle.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TAFT. Mr. President—

Mr. WHERRY. Mr. President, what does the Senator from Illinois mean by saying "the 'nay' vote" on this side of the aisle? Senators on this side of the aisle gave 33 votes in favor of cloture.

Mr. LUCAS. Mr. President, I did not yield.

Mr. WHERRY. But the Senator from Illinois wants the record to be correct, does he not? He does not want a misstatement to appear in the Record, does he?

The VICE PRESIDENT. The Senator from Illinois declines to yield.

Mr. LUCAS. Mr. President, is there any way we can exclude the Senator's remarks? I did not yield to him. I should like to have those remarks deleted from the Record. I shall yield to him later.

Mr. WHERRY. Mr. President, a point of order.

The VICE PRESIDENT. When a Senator has the floor and refuses to yield, no other Senator has a right to inject remarks into his speech.

Mr. LUCAS. Mr. President, I want them stricken from the Record.

Mr. WHERRY. Just a moment, Mr. President—

Mr. LUCAS. Mr. President, I do not yield.

Mr. WHERRY. Mr. President, will the Senator from Illinois yield, to permit the Record to be corrected?

Mr. LUCAS. I should like to correct the Record—

Mr. WHERRY. The Senator had better do so.

Mr. LUCAS. I had better, had I?

Mr. President, I have the floor, and I do not yield.

The VICE PRESIDENT. The Chair rules that the Senator from Illinois has the floor; and if he declines to yield, no other Senator has a right to question him or to make remarks during the course of his speech.

Mr. LUCAS. Mr. President, I am surprised at my friend, the Senator from Nebraska. He is the great minority leader, so-called, on the other side of the aisle; and he is the Republican leader of the country. The Senator from Ohio is called "Mr. Republican"; but that is all wrong, for the Senator from Nebraska is "Mr. Republican." He is the Republican leader.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I do not yield. I ask the Senator please to let me alone.

Mr. President, the Senator from Nebraska is the unusual minority leader. He leads Senators on his side of the aisle; but he votes with them about 1 time out of 12, so far as the record shows. [Laughter in the galleries.]

The VICE PRESIDENT. The Senate will be in order and the occupants of the galleries will be in order. The occupants of the galleries are prohibited, under the rule, from making any demonstration, either of approval or of disapproval. The Chair insists that the rule be observed.

The Senator from Illinois may proceed.

Mr. LUCAS. Mr. President, we on this side of the aisle even though we may be opposed to one another on this civil-rights measure, are very happy to know that the Republican Party in this country is led by the Senator from Nebraska. We are delighted to have the Senator from Nebraska, the so-called great Republican leader, here in the United States Senate.

What I said a moment ago was that certain Senators on that side of the aisle voted "nay" when the roll was called on the question of invoking cloture, and also certain Senators on this side of the aisle voted "nay." Certain Senators whom I hoped would not vote that way, nevertheless voted "nay." Other Senators, whom I thought would vote "nay," did vote "nay."

However, Mr. President, we cannot control Senators; and the Senator from Nebraska knows that, too. He, himself, votes with his colleagues about 1 time out of 12, in most cases.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I decline to yield.

Mr. President, I read further from the release of the national council to which I referred:

Such a crisis would center around the most reckless and dangerous part of the new cloture rule, that part which proposes to deny the Senate the right to put any limit whatsoever on debate upon a motion to change this or any other Senate rule. If this provision of the rule were to stand the Senate would have nailed its feet to the floor for a thousand years.

Mr. President, that is what these gentlemen say, and that is correct. In such case, Senators would never break the rule which was fastened on the United States Senate last year, the rule sponsored by the Senator from Nebraska; Senators would never break it in a thousand years, as is said by the gentleman who issued the release from which I have been reading.

No wonder the Senator from Nebraska is attempting to get out from under this rule, as a result of what has happened here today.

I read further from the release:

If, on Friday, May 19, at least 64 votes are not cast for cloture we urge the leaders of both parties to keep the motion to take up FEPC before the Senate until cloture is voted

or until, after repeated petitions and roll calls, it is conclusively demonstrated to the American people—

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I shall yield in a moment—

that, under the present Senate rules, the will of the majority is powerless to break through and overcome the veto power of a minority of one-third-plus-one.

The Members of the Senate can escape the pit they have dug for themselves—and, more important, they can open the way to fair employment—only by climbing the cloture ladder they have built, all 64 rungs of it.

Now I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, the Senator from Illinois is not under the impression, is he, that if his own rule, which he tried to have the Senate adopt last year, had been adopted by the Senate, cloture would have been adopted today? The Senator from Illinois has counted the votes, has he not, to see that his own rule would have failed, just as the present rule failed, so far as the adoption of cloture is concerned?

Mr. LUCAS. The Senator from Ohio is correct. But when we try again to obtain cloture and have present the five Senators on this side of the aisle who are absent today, and also have present the Senators on the other side of the aisle who are absent today, cloture, I am sure, would carry under the two-thirds rule; there is no question about that.

Mr. JOHNSTON of South Carolina and Mr. WHERRY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I believe the Senator from Illinois stated that it would be hopeless to try to invoke cloture and that we never could invoke cloture with the present rule in existence. Did I correctly understand the statement of the Senator from Illinois?

Mr. LUCAS. I did not say that. I said that if that provision of the rule remains in effect, we cannot break in a thousand years the rule which was fastened on us last year.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. I wish the Senator were correct in the statement he made; but the Senator may have noticed that there were 32 "nay" votes, and the distinguished Senator from Kentucky [Mr. WITHERS] was announced as "nay," making 33 votes on that side of the question. So, as a matter of fact, if all Senators were present, the attempt to invoke cloture would still be defeated, either under the present rule or under the rule sponsored by the Senator from Illinois.

Mr. LUCAS. Very well, have it any way you desire.

Mr. TAFT. I make that statement for the sake of the accuracy of the RECORD.

I think it is unfortunate that the Senator has not voted in favor of cloture. I am in favor of cloture.

However, I am afraid the Senator from Illinois cannot blame the failure to in-

voke cloture on the rule the Senate adopted last year; that is all.

Mr. LUCAS. Very well. The Senator can have it any way he wants. At least, the rule we tried to adopt last year, as the Senator must admit, was a more liberal rule than the one which was fastened on us, the rule under which we are now operating.

PERSONAL STATEMENT—DREW PEARSON ARTICLE

Mr. HICKENLOOPER. Mr. President—

Mr. LUCAS. Just a moment, please; I ask the Senator to give me a chance.

Mr. HICKENLOOPER. Mr. President, I have a favor to ask of the Senator from Illinois, in asking him to yield, for I must catch an airplane at 2:30 this afternoon.

Mr. LUCAS. Very well; I yield.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that I may make a statement for about 2 minutes about an article in which my name is mentioned, appearing in this morning's newspapers, regarding the vote.

Mr. LUCAS. Cannot the Senator put the statement in the RECORD? That would do just as well.

Mr. HICKENLOOPER. I am afraid it would not do just as well. I ask the Senate's indulgence, if I may obtain unanimous consent to speak for the time I have indicated, without prejudicing the right of the Senator from Illinois to the floor.

Mr. LUCAS. Very well.

The VICE PRESIDENT. Is there objection to the request for the Senator from Illinois to yield to the Senator from Iowa for 2 minutes, without causing the Senator from Illinois himself to lose the floor? The Chair hears none, and the Senator from Iowa may proceed.

Mr. HICKENLOOPER. Mr. President, in this morning's Washington Post, in a column by Drew Pearson, there is a perfect example of the utmost and unbridled freedom of the press and the extent to which it can be carried, even to the protection of fantastically untrue statements.

I shall ask to have the entire article printed in full in the RECORD at the conclusion of my remarks, but at this point I shall read only a portion of it. It insinuates that the Senator from Ohio [Mr. TAFT] had made some kind of "deal" with the Senator from Georgia [Mr. RUSSELL]. It says:

TAFT not only estimated that he could keep at least six GOP Senators from voting to end the filibuster but he actually named them. They are: Senators MILLIKIN, of Colorado; MALONE, of Nevada; BRIDGES, of New Hampshire; GURNEY, of South Dakota; YOUNG, of North Dakota; and HICKENLOOPER, of Iowa; and two or three others might also be persuaded, TAFT said.

Somewhat later in the article the following appears:

However, the six GOP Senators whom TAFT has said he would deliver to the southern Democrats have already expressed their views privately as against cloture. This is probably something which TAFT did not tell Senator RUSSELL.

Mr. President, publicly and privately, I have always maintained that cloture should be invoked whenever debate was

used as a delaying tactic. I even wrote a letter, several days ago, asking whether my name could be included among the sponsors of the cloture petition.

I have publicly and privately maintained that I would vote for cloture.

I made a special trip from Iowa back to Washington, arriving here last night, and my reservations were made 3 days ago, for the specific purpose of voting in favor of the cloture petition.

No more fantastically unfounded statement could be made, so far as I am concerned. Of course, I cannot speak for other Senators—

Mr. MALONE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I cannot yield.

Mr. President, no more fantastically unfounded statement could be made, so far as I am concerned, than the statement from which I have read, as it appears in the newspaper this morning. There is no foundation whatever for it. It is utterly and fantastically untrue.

Again I say that it certainly demonstrates the great lengths to which freedom of the press, for such unbridled and unfounded statements, is protected in this land of ours.

I regret, of course, that opportunity is given for statements of this kind to be made public; but under the great, free American system, I assume that we shall have to continue to be subjected to such untruths and such unfounded rumors, whether for political purposes or otherwise.

I thank the Senator from Illinois for yielding to me. I would not have asked him to do so, had I not been required to leave very shortly.

Mr. MALONE. Mr. President, will the Senator from Illinois yield, to permit me to ask a question of the Senator from Iowa?

Mr. LUCAS. It is my understanding that the Senator from Iowa has to leave almost at once.

The VICE PRESIDENT. The time of the Senator from Iowa has expired.

Mr. LUCAS. Mr. President, it is my understanding—I may be incorrect—that the name of the Senator from Iowa was on the original cloture petition; at least, it was put there by someone at his request, I understand.

Mr. HICKENLOOPER. I had asked permission to have it put on the cloture petition.

Mr. LUCAS. Yes.

Mr. HICKENLOOPER. Mr. President, I now send the entire article to the desk and ask that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of May 19, 1950]

TAFT CIVIL RIGHTS DEAL REPORTED

(By Drew Pearson)

Civil rights is the rock on which Abraham Lincoln founded the Republican Party. Yet Senator TAFT of Ohio, who is Mr. Republican himself, has just made a cold-blooded deal with southern Democrats to help them defeat civil rights.

TAFT has promised to hold back enough Republican votes to prevent cloture—in other words, prevent the Senate from breaking the

civil-rights filibuster. In return, TAFT got southern votes to support him in blocking the proposed Truman-Herbert Hoover reorganization of the National Labor Relations Board.

Under present rules it requires 64 votes to break the filibuster—which means that every available northern Democrat and Republican must be present and vote for cloture. Therefore, if TAFT can keep only four or five Republicans from voting, southern Senators will be able to talk civil rights to death.

This is exactly the deal which the Senator from Ohio made with Senator DICK RUSSELL of Georgia, the astute southern spokesman. The agreement has been kept a top political secret, and undoubtedly will be denied. However, other Senators were in on it, and this column has carefully confirmed the facts.

TAFT not only estimated that he could keep at least six GOP Senators from voting to end the filibuster, but he actually named them. They are: Senators MILLIKIN of Colorado, MALONE of Nevada, BRIDGES of New Hampshire, GURNEY of South Dakota, YOUNG of North Dakota, and HICKENLOOPER of Iowa—and two or three others might also be persuaded, TAFT said.

TAFT GOES IN REVERSE

In return, Senator RUSSELL promised to give TAFT a solid block of southern votes against the reorganization of the National Labor Relations Board, a plan which would have abolished the general counsel's office. The interesting thing about this reorganization is that it was not only proposed by Herbert Hoover, but 1 year ago it was also sponsored by TAFT himself.

However, Robert Denham, the NLRB general counsel whose job would be abolished, has been a faithful follower and fought tooth and nail to block NLRB reorganization.

TAFT's trade with Senator RUSSELL has already borne fruit regarding this part of the deal. For, last week, southern Democrats delivered a block of votes to defeat NLRB reorganization—with the exception of Senator WITHERS of Kentucky. He voted against TAFT and for Truman.

Today it's TAFT's turn to keep his part of the bargain. He himself will vote against the South and line up to break the filibuster in order to keep his record clean. He would be defeated for reelection in Ohio if he didn't.

However, the six GOP Senators whom TAFT has said he would deliver to the southern Democrats have already expressed their views privately as against cloture. This is probably something which TAFT did not tell Senator RUSSELL.

For, in secret Republican councils, the above-mentioned six had argued against the principle of shutting off Senate debate. In fact, TAFT had little to do with wooing them over to the other side.

Meanwhile, it is significant that TAFT has been noticeably uncooperative in rounding up Republican votes against the filibuster, though fellow Republicans have not suspected the reason. Senator WHERRY, of Nebraska, on the other hand, has been quite active.

Prediction—The TAFT-RUSSELL deal will be more vigorously and vehemently denied than anything in years, in addition to which several of the above six Senators will switch their votes in order to give the denials more validity.

DEWEY BACKS ELLIOTT

No one would ever expect Governor Dewey to propose a Roosevelt for public office.

But, believe it or not, that's what Dewey did the other day. He sent word to Elliott Roosevelt, urging him to run for Congress from New York City against Representative VITO MARCANTONIO of the American Labor Party.

Dewey's message was brought to Elliott by Paul Lockwood, one of the Governor's confidential secretaries, who promised that if

Elliott could get Tammany's backing, he would also have Republican support in running against MARCANTONIO.

MARCANTONIO has had pro-Communist support and represents the Puerto Rican-Negro district of New York, which ordinarily would be hard for an outsider to carry. But just as young FRANKLIN ROOSEVELT, then an outsider, was able to carry the Eighteenth District, so it is believed Elliott could carry MARCANTONIO's district if he had support from Tammany and the Republicans.

Following Lockwood's proposal to Elliott, the latter conferred with Tammany leaders, and their decision is expected shortly.

Mr. MALONE. Mr. President, I should like to ask the distinguished Senator from Iowa whether Mr. Pearson spelled our names correctly.

Mr. HICKENLOOPER. So far as I know, he did.

FAILURE OF CLOTURE RULE

Mr. LUCAS. Mr. President, I regret that I am compelled to reply to my friend from Nebraska. I made a short statement expressing regret at what had happened, and advised the Senate we would carry on this fight. I had hoped we would carry it on with the same kind of cooperation we have had in the past, without getting into a political wrangle as to who is responsible, and so forth. I made no attack with respect to this rule in my short statement. I thought the vote had ended it, until meanwhile we could take up certain other business, and later on, discuss and debate FEPC with a view to having another vote on cloture, and that when we secured the presence of some seven or eight Senators who were absent today we could perhaps make a better showing, and with a change of heart by a few Senators might be able to make the grade. That was the sincere hope at least of the Senator from Illinois.

The Senator from Nebraska rose majestically, and immediately said the Democratic Party was split, high, wide, and handsome, and so forth and so on.

Mr. President, I do not propose to speak any longer on this question. I am simply interested in trying to secure the passage of the FEPC bill. I hope when we bring up the motion again some of my friends on the Democratic side of the aisle will at least—I repeat, will at least—give the Senate an opportunity to discuss the measure—and I repeat, an opportunity to discuss the measure.

The idea of a Senate of the United States binding this body to the point where it is impossible even to talk about a measure is a preposterous doctrine. The opposition will not even let a Senator, under this rule, vote favorably upon the motion itself. Surely that ought to be done, if nothing else, and it is difficult for me to understand how any Senator, regardless of how he may feel upon this measure, regardless of where he may come from, could fail to give the Senate an opportunity at least to discuss the merits and demerits of the measure, even though he might be opposed to the bill itself.

Some day, Mr. President—I repeat, some day—other Senators in this Chamber will have measures they will want to have considered. We are now laying a ground work here, as a result of failure to take up this bill that may prove disas-

trous. We are sowing the seeds, as I see it, for some small group of Senators to band together any time they want upon any measure, regardless of how important or how meritorious it may be, and proceed to stop the Senate cold in its tracks from considering any important legislation.

Surely, Mr. President, viewing the conditions which prevail throughout the world today this should not be done. As I said yesterday, this is probably as dangerous a peacetime period as we have ever had in America. It is a time when we may require action at any time, and we ought to be able to expedite action in the Senate.

Mr. KNOWLAND and Mr. LEHMAN addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield, and if so to whom?

Mr. LUCAS. I yield first to the Senator from California.

Mr. KNOWLAND. Mr. President, I should merely like to ask the able Senator from Illinois, the majority leader, whether it is not true that, since his party is in substantial control of the Senate of the United States and in control of the Committee on Rules and Administration, if the able Senator wants to modify the rule, he is in the position and has the power to do it, by bringing out a new rule. Under the rule which was adopted at the last session, the problem of changing the cloture rule, as it now stands, has been neither increased nor decreased. The Senator therefore is in the same position, with respect to making a change that we were in at the last session of the Congress. Of course, as the able Senator from Illinois knows, it would require the breaking of a filibuster, through day-and-night sessions, which cannot be done in the month of May, but must be started in the month of January.

Mr. LUCAS. I understand now what the Senator is talking about. I regret that my friend, who has usually been with me on these things, brings that up and implies that we have started too late. Last year, according to many people, we started too early. This year, according to many people, we started too late. At least, Mr. President, we started each year. We started during the first session of the Eighty-first Congress, and we started during the second session of the Eighty-first Congress. That is more than my Republican friends did during the Eightieth Congress. They brought in an amendment to the rule, as I recall, in April, during the first session of the Eightieth Congress, but they never did consider it, either during the first session or the second. So I do not want to be charged with negligence by my friends on the other side of the aisle. They do not come in with clean hands when they try to charge neglect upon the part of the Democratic leadership.

I yield now to the Senator from New York.

Mr. LEHMAN. Mr. President, I ask the Senator from Illinois whether he does not think it is apparent that the result of this vote has been received by some of our friends on the other side of the aisle in a spirit almost of jubilation? Their demeanor has made it evident that

they believed it to be a victory for the Republican Party.

I ask the Senator from Illinois whether he does not agree with me that this is no victory for anyone, but that it is a tragic defeat for a rightful cause, the cause of equal rights and freedom for all our people? I think some Members on the other side of the aisle, instead of exhibiting a spirit of jubilation, instead of trying to capitalize on this vote for political advantage, should feel, as I do, that it is one of the most discouraging developments I have known in my entire public life.

Mr. IVES. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the senior Senator from New York?

Mr. LUCAS. I yield.

Mr. IVES. I regret very much that my colleague from the State of New York saw fit to question the motives of all of us on this side of the aisle, which he apparently did in the statement he just made. I happen to know personally that a great number of Senators on this side of the aisle regret, as does my colleague himself, and as does the majority leader, the outcome of the vote which has just been taken.

At the outset of this debate, I pleaded with Members of the Senate to keep partisan politics out of this matter. We are never going to solve anything in the field of labor relations or in the field of human relations generally by injecting partisan politics. I think I personally have kept partisan politics out of this throughout my whole life. Again, I plead with other Members of the Senate for an honest effort to keep partisan politics out of this thing, and in doing so I join with the majority leader. The majority leader can count on me until the end of time, insofar as that is concerned. [Manifestations of applause in the galleries.]

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. LEHMAN. I fully concur in what my distinguished colleague from the State of New York has said about keeping partisan politics out of this debate. But it was certainly evident from the very first remarks which were made, after result of the vote was announced, that an attempt was being made from the other side of the aisle to capitalize on the outcome and to seek partisan advantage of this situation.

I do not care whether this bill is passed by Democratic votes or by Republican votes. My only interest is in having it passed, in having the Senate obtain a right at least to vote on it. That is the democratic process, a process I have always supported and which I always will support. I hope the distinguished majority leader will again attempt to obtain cloture on this motion, and that the cloture motion will receive the support of additional members of the Republican Party and the support of more members of my own party.

Mr. LUCAS. Mr. President, I have had a number of talks with Senators on the other side of the aisle during the debate on FEFC. One Senator who has

given me much courage and counsel in connection with it has been the senior Senator from New York [Mr. IVES]. There are a number of other Republican Senators who are genuinely interested in the proposed legislation, without thought of partisanship. But I repeat—the RECORD will show, and Senators know, what I said immediately following the vote, was a sincere statement—and devoid of the slightest tinge of partisan politics. It was, and is now, my hope that we carry on and harmonize our efforts to the end that we accumulate the necessary votes on this side of the aisle and on the other side of the aisle to gain a victory. Mr. President, I disclaim any interest in the starting of the partisan spirit of the debate. I place the responsibility on my friend from Nebraska [Mr. WHERRY] who started out with a big hip, hip, hurrah about splitting the Democratic Party in two and claiming much in defeat for what the Republican Senators have done.

Mr. BREWSTER obtained the floor.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BREWSTER. I shall be glad to yield, if I do not lose my right to the floor.

Mr. President, I ask unanimous consent that I may yield to the Senator from Nebraska for about 5 minutes, without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered. The Senator from Maine yielded to the Senator from Nebraska in order that he might ask unanimous consent to proceed.

Mr. WHERRY. Mr. President, the junior Senator from Nebraska asks unanimous consent that he may proceed for 5 minutes.

The VICE PRESIDENT. Without objection, and without affecting the right of the Senator from Maine to the floor, the Senator from Nebraska may proceed.

Mr. WHERRY. Mr. President, the reason the junior Senator from Nebraska rose to his feet was because of the speech which the majority leader made yesterday, in which he referred to the rule to which he has again referred in his remarks this afternoon. He referred to the rule requiring a two-thirds constitutional majority, which rule the junior Senator from Nebraska helped to have adopted by the Senate and which the majority leader said had been fastened upon the Senate for a thousand years. Had it not been for that rule, Mr. President, the majority leader would not have been in position today even to present a motion for closing debate. He voted against the rule.

The point which the junior Senator from Nebraska wants to make is that the requirement of 64 votes had nothing to do with the outcome this afternoon. I say it is a good rule. I was willing to make the rule require two-thirds of the Senators present and voting, and I went along with the distinguished Senator from Arizona [Mr. HAYDEN] to that end. But, since, when the amendment to the rule was under consideration, the distinguished Senator from Illinois stated he would proceed no further and would ask the Senate to take up some other meas-

ure, then it was that a compromise was worked out, whereby, for the first time in the history of the United States Senate, a motion could be made to impose cloture if 64 Senators voted to terminate debate. It carried by 63 votes. It was not an unholy alliance, as the majority leader has stated more than once on the floor of the Senate. I am as much interested today in adopting a better cloture rule as I was at that time, and, in this instance, I worked incessantly to get out the vote.

Of course there is jubilation on this side of the aisle, because we finally got a test vote upon a vital issue for the first time in all the history of the Senate, and I am proud of the fact that on this side of the aisle 78½ percent of the membership voted in favor of the motion. If there is any partisan politics involved, it comes from the other side of the aisle, where continuously promises have been made to the people of the country that civil-rights legislation would be passed. The best they could do, as I pointed out, was only 19 votes out of 54.

Why should any blame be attached to the Republican side of the aisle? Why should any blame be attached to this rule which has permitted the majority leader, for the first time in his life, to be able to test a cloture motion? I am as sincere as is any Senator on the floor with reference to cloture. The point I desire to make is that it has been through this rule that we have had an opportunity, for the first time I have been a Member of the Senate, and the first time any Member of the Senate has ever had such an opportunity on either side of the aisle, to make the test.

Attacks are continuously being made by the majority leader, and he has stated that it is because of this rule that the bill has failed. It is not because of the rule, because if we mean what we say and will say what we mean we can apply cloture if we have the necessary votes.

Mr. President, only six Republicans voted against it. Three Senators were absent. One Senator is present, even against his doctor's orders, in order that he might vote for the cloture petition.

That shows the length to which the minority leader has gone in trying to get out the vote. I am proud of that fact. I say, again, that it is the efforts on this side of the aisle which have produced results. If there is going to be any preaching or any censure, it should be applied by the majority leader to those who, he says, always criticize him for everything he does.

The majority leader refused to yield to me. I think yielding is a courtesy which should be extended. I have always yielded to him. In a sarcastic way he made me the great leader of the Republican Party—

Mr. LUCAS. I was honest about it.

Mr. WHERRY. I accept the nomination from the majority leader.

Mr. President, two more points, and I shall be through. I was made a great general on one occasion by the Senator from West Virginia [Mr. NEELY]. I appreciated that. I have now been made the undisputed leader of the Republican Party by the nominating speech of the

majority leader, and I also appreciate that honor.

Mr. President, I believe that we should not change the precedents of the United States Senate every time a measure is brought up. I voted to support the Senator from Michigan [Mr. VANDENBERG], who was presiding at the time, in his decision, and, I believe, rightly so. If there are to be rules in the Senate, we must approach them in the proper way and not try to change them every time a piece of proposed legislation is brought up. As I said to the majority leader yesterday—and I say it again—there are no politics involved in the matter. Nothing has been taken away from us.

I hope I have heard the last of the indictments made by the majority leader that I have been involved in an unholy alliance. We can change the rule just as it could have been done on the very day about which the majority leader has been speaking. The rule could be changed by breaking a filibuster, but until Senators are willing to do that they are not going to change the rule.

I accept this compromise rule as a great victory for the Republican Party because I feel that at long last we have a right to vote upon a measure and place every Senator on record as to how he feels concerning the issue. Even though we did not get a constitutional two-thirds majority, I say the showing is a good one. It shows where the friends of the proposed legislation are. Mr. President, I shall always join in any coalition which is interested in good, forthright legislation. I believe those with whom I joined are not unholy, whether they come from the South, West, North, or East. I respect the dignity and truthfulness of every Member of the United States Senate, and I do not like the statement that I joined with any group in an unholy alliance to be for or against any measure.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The Senator from Maine [Mr. BREWSTER] is entitled to the floor.

PERSONAL STATEMENT—DREW PEARSON ARTICLE

Mr. TAFT. Mr. President, will the Senator from Maine yield, with unanimous consent, that I may make a 2-minute statement on another matter?

Mr. BREWSTER. I shall be glad to answer any question.

Mr. TAFT. I should like to make a statement.

Mr. BREWSTER. I should first like to know what the statement is.

Mr. TAFT. I ask unanimous consent only because the distinguished Senator from Iowa has put in the RECORD an article by Mr. Drew Pearson which was published in this morning's Washington Post. The statement is as follows: I have seen Drew Pearson's story regarding an alleged deal on FEPC cloture and Reorganization Plan No. 12. There was no such deal or anything resembling it. It should be noted that the Senator from Tennessee [Mr. McKELLAR], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Alabama [Mr. HILL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Georgia

[Mr. RUSSELL] were not among those who voted for the resolution of disapproval of Reorganization Plan No. 12. Furthermore, Mr. Hoover publicly stated that the Hoover Commission did not approve the plan, nor did I approve the plan last year, contrary to statements made in the article. I have publicly and privately continuously urged every Republican to vote for cloture on FEPC. The whole story is an unmitigated lie.

Mr. BREWSTER. I am glad to yield to the Senator from Ohio for the purpose of making that statement.

SENATOR MALONE'S POSITION ON CLOTURE

Mr. MALONE. Mr. President, I ask unanimous consent that I may be permitted to make a statement for not more than 2 minutes, without prejudicing the rights of the Senator from Maine.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Nevada?

Mr. BREWSTER. I ask unanimous consent that I may yield for the purpose of permitting the Senator from Nevada to proceed for 2 minutes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The Senator from Maine yields to the Senator from Nevada for 2 minutes, without losing his right to the floor.

Mr. MALONE. Mr. President, the junior Senator from Nevada has announced on many occasions in the past 3½ years that he would not vote for cloture on any measure except in a national emergency. Mr. President, the word "filibuster" has been bandied about very loosely for a considerable time on the Senate floor. The best definition of a filibuster which the junior Senator from Nevada can think of, at least as the word is used on the floor of the Senate, is that a filibuster is a debate to which one does not subscribe. In other words, if a Senator does not agree with the speaker, it is a filibuster. On the other hand, if the Senator does agree with him, it comes under the head of profound debate. The junior Senator from Nevada has listened with much interest to the addresses and debates of Senator STENNIS from Mississippi, the Senators from Georgia, Mr. GEORGE and Mr. RUSSELL, and other Members of this body, when they were engaged in debate, and has commented later to those Senators upon the character and high plane of their thoughts. The junior Senator from Nevada is still listening to the debate on FEPC with an open mind.

Mr. President, I have visited most of the nations of the world, and I have become familiar with most of the legislative bodies of the world. I attended a session of the legislature in Bangkok, Siam, for example. It is a small body of men operating within a very limited field when considered from the point of view of authority.

If the King of Siam were to send word that they should abolish themselves, they probably would do so. When I visited the country their King had been shot only a few days prior to

my arrival. I note that another King has now been appointed.

In considering the results of his visits to various countries, the junior Senator from Nevada came to the conclusion that the Senate of the United States is the last open forum in the world in which a subject may be freely debated and in which Senators and the public may become informed. It is even more important that the public become informed, because when the public is informed, they are generally right in their conclusions. If a measure is hurried through the Congress without full debate, the public has no chance to become informed. If that happens, it is possible for Senators, as well as other persons, to give the impression that a vote means something other than what it actually means on the floor of the Senate.

Mr. President, in closing, I wish to say that the House of Representatives is not an open forum. Any administration which controls the House of Representatives can pass a bill in an afternoon.

In the Senate on the contrary there is full opportunity under our rules for Senators to become informed, and the people of the United States to become informed.

The junior Senator from Nevada, would not vote for cloture on any subject except in a national emergency.

Mr. President, the Constitution of the United States provided the two independent Houses of Congress—the House of Representatives and the Senate. The Senate, by its very nature is the more deliberative body.

Both Houses, under the Constitution, are entirely independent of the executive branch of the Government—the Presidency of the United States.

Continual pressure is exerted by the executive branch for greater control of the legislative branch—if cloture could be invoked on the Senate floor without full and unrestricted debate the executive would increase its control over the legislative—the stage would then be set for a dictator to take over under a Socialist, Fascist, or Communist form of government.

I am, therefore, thoroughly opposed to exercise of cloture control except in an emergency.

COMMENT ON CLOTURE VOTE—PERSONAL STATEMENT ON DREW PEARSON ARTICLE

The PRESIDING OFFICER. The Senator from Maine is again recognized.

Mr. RUSSELL rose.

Mr. BREWSTER. For what purpose does the Senator from Georgia rise?

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Senator from Maine yield to me for 4 minutes, without taking the Senator off the floor.

Mr. BREWSTER. I should like to say that I wish to proceed with my remarks as quickly as possible. I hope the Senator's request will be the last one, because I know many Members of the Senate are eager to get away. I am happy to yield to the Senator from Georgia provided I do not lose my right to the floor.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the Senator from Georgia may make a brief statement without the

Senator from Maine losing his right to the floor. Is there objection? The Chair hears none, and the Senator from Georgia may proceed.

Mr. RUSSELL. Mr. President, I was interested in the political discussion between the minority leader and the majority leader as to where to place the blame for the failure to gag the Senate of the United States in the discussion of the pending motion. The majority leader, having failed in his attempt to create a bipartisan bloc in the Senate which would gag the Senate, now denounces what he terms a coalition between Senators on this side of the aisle with those on the other side of the aisle.

I say, Mr. President, that today should be a day of rejoicing on the part of those who believe in preserving the fundamental processes of the Senate of the United States, which guarantee the right of petition to every American citizen. It should be a day of rejoicing to those who have an appreciation of the dignity of the United States Senate and its processes. The Senate has rejected the effort to bring before it this naked bill, without one line of hearings, or any recommendation on the part of the committee to which it was referred, and there should be rejoicing at the action in the nature of a rebuke to a committee for bringing this bill out without having discharged its proper functions.

Indeed, all those who value their individual rights and liberties today have reason to be proud that 33 Senators either voted or were announced in opposition to this movement which some of us believe to be largely political in its character and so dire in its consequences. So much for that.

Some mention has been made on the floor of the Senate of an article by Drew Pearson which appears in this morning's newspaper. This is not the first time I have been accused by this man of having made some kind of a deal with Republican Senators on legislative matters. As I recall, this is the third or fourth time. I do not remember the exact dates or the nature of all of these false charges, but I did refresh my memory as to another that was made this year. On February 4, when there was talk of bringing up some civil-rights legislation, Pearson carried a long column charging that there had been a deal between the Senator from Nebraska [Mr. WHERRY] and myself as to something which had taken place more than a year ago. The charge was utterly baseless and without foundation, just as was the one in today's newspaper that I had made a trade with the Senator from Ohio [Mr. TAFT].

Mr. President, I resent the charges, not only as they are directed at me, but as they are directed at my colleagues from the South. I resent the inference that they could be driven like cattle, and would vote as I might direct them to vote. The cold record shows that the charges are false, and the fact that the record was available to Pearson shows that the charges were knowingly, willfully, and falsely made.

The charge that was made in February had to do with a vote on some power-line legislation that took place in

the last Congress. He claimed that a conspiracy between the Senator from Nebraska [Mr. WHERRY] and myself, whereby I was to deliver southern Senators, was discovered by three alert Senators—I forget at this time who they were—and that they succeeded in preventing a large number of southern Democrats from voting against an amendment, and thereby foiled the plot. A yea-and-nay vote of the Senate was taken on that particular item, and it showed that of the three record votes on public-power matters taken on the bill, more southern Democrats voted on the one he claimed was the subject of a meretricious trade than on any other one. The cold record showed the falsity of his charge that it was necessary or possible to prevent my colleagues from the South from voting on the amendment.

The record today shows the falsity of the charge in regard to the item he discussed. He charges that I delivered the votes of southern Senators to the Senator from Ohio to disapprove the resolution reorganizing the NLRB. The cold record shows every southern Senator voted exactly as they had on the passage of the labor bill over a year ago. Mr. Pearson abuses the freedom of the press for political blackmail. The article this morning had no other purpose, nor did the article in February have any other purpose, than to deter men on this floor from voting their convictions. He thought that by coming out with this figment of a distorted and perverted imagination he would frighten Senators from voting their convictions by threats of smears. He gave some names.

Mr. President, there was not a reporter in the Press Gallery who did not have a better idea of how the vote would go than Mr. Pearson did, as expressed in his article. Reporters have been checking Senators for at least a week, and all of them knew how nearly every Senator would vote on the cloture issue. Even at that, he failed to correctly list those opposed to cloture, though past votes on cloture petitions enabled him to name some of those who voted against it today.

Of course, it would be impossible for any Senator to attempt to add to Mr. Pearson's stature as the prince of liars. I would not undertake to gild a lily. He has been charged by Presidents of the United States, by members of the Cabinet, by other men in public life, world without end, again and again, of being the creature who long ago wrested away the laurels of Ananias and placed them proudly on his own brow.

He has been compared to a skunk by one Senator, I believe. Of course, the Senator would not have made that statement if skunks could vote and were able to speak. [Laughter.] If skunks had been able to understand the odious nature of the comparison, I am sure they would have committed mass suicide, to the last skunk. [Laughter.]

The President of the United States publicly referred to Pearson as being a s. o. b. There was a great deal of discussion as to whether or not it was proper for the President to use such language. But not one person ever questioned the

correctness of the President's statement. [Laughter.] I doubt not that if the canine family in this country could have understood that comparison, every one of them have been seized with rabies of the most virulent type in their madness at being so compared. [Laughter.]

Mr. President, my time is up. I merely wish to say that the Prince of Peace was indeed omniscient. He looked down through 2,000 years, and in the eighth chapter of John, the forty-fourth verse, described Pearson when he said:

There is no truth in him. When he speaketh a lie, he speaketh of his own; for he is a liar, and the father of it.

I thank the Senator from Maine for yielding.

THE FEPC BILL—RULES OF THE SENATE

Mr. BREWSTER. Mr. President, I have been requested by the Senator from Minnesota to yield to him, if I may have unanimous consent, for 5 minutes.

Mr. HUMPHREY. I should like to have 10 minutes.

Mr. BREWSTER. I am a little concerned about that—

Mr. HUMPHREY. I should like 5 minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, first I desire to thank the Senator from Maine for the courtesy he has extended to me.

I have listened this afternoon to the remarks of several of our distinguished colleagues in reference to the situation which confronts the United States Senate with regard to the measure providing for fair employment practices. I feel very much like my colleagues the junior Senator from New York and the senior Senator from New York. There is little rejoicing in the hearts of the people, and I do not believe there should be any rejoicing in the hearts of the Members of the United States Senate or of the Congress.

To my Democratic friends, I say, if this Democratic Party of ours is going to survive, if it is going to do what it has pledged itself to do, it had better make up its mind to fulfill its commitments to the American people.

I am not going to admonish the Republican Party. It must face its own record. However, I think there is a little bit of admonishing that needs to be done on the home front, right in the ranks of the Democratic Party. I believe that those of us on this side of the aisle who remember the last election, whether we like to face the facts or not, recall that the two candidates for the office of the Presidency of the United States who received tremendous votes were the two men who gave full and complete support to the issue of civil-rights legislation. I submit that the candidate who stood on the issue of an anti-civil-rights program did not get enough votes to know he was in the election; yet that candidate made a campaign before the American people.

It may be that some of the United States Senators, some of us in this body, have failed to remember that election. It may be that we fail to remember it because our term of office is 6 years. But

I submit, Mr. President, that the position of Harry S. Truman as a candidate for the Presidency of the United States was well known by the American people on the issue of civil rights. The record of Mr. Dewey, the candidate for the Republican Party, was also well known and Mr. Truman and Mr. Dewey were the two candidates who were able to muster the votes—not the Dixiecrat candidate.

What has happened is not a matter of rejoicing to me as a member of the Democratic Party. The Democratic Party has made promises and pledges on civil rights, and it behooves the membership of the party to fulfill its commitments.

Now a few words about Senate rules. If this rule of the United States Senate applying to cloture had been in effect at the time of the birth of this Nation, we never would have had a republic. Majority rule was the rule of the Constitutional Convention. This rule, the Wherry cloture rule, violates the principle of the Golden Rule. There seems to be more concern over a Senate rule than there is for the Golden Rule.

Mr. President, there are Senate rules which give a Senator immunity from being called to account for any kind of remarks—true or false—he wishes to make about any person. For such remarks a Senator is immune from any form of action.

There is a Senate rule which provides that any Senator can be put in his seat for anything he says, regardless of the justice of the cause he is pleading or the nature of his remarks. This rule is ridiculous and subject to wholesale abuse.

The rule relating to immunity of Senators for anything they may say about persons within the confines of the United States Senate protects Senators from all possible civil action. But when it comes to a rule pertaining to Members of the Senate in relation to each other, we are very careful to protect our own prerogatives and privileges.

I submit that the rules of the Senate ought to be rewritten so that they protect the American people, and not provide privileges for the Members of the United States Senate.

The Constitution of the United States was adopted upon the principle of majority rule. Seventy-seven Delegates were invited to the Constitutional Convention. Fifty-five came and 39 remained. Had such a rule as the present Senate rule been in existence at that time, and had it been controlling of the action of the Delegates who were considering adopting the Constitution, we would have failed in our attempt to establish constitutional government. We never would have adopted the Constitution. The only provision in the Constitution providing for a two-thirds majority vote is one which provides for a simple two-thirds majority, not a so-called constitutional two-thirds majority. The two-thirds majority vote rule applies to impeachment proceedings, ratification of treaties, to the expelling of a Member or to overriding the veto of the President or submitting constitutional amendments.

Mr. President, I think it is time to revise the rules of the Senate on the basis of simple majority rule. This so-called constitutional two-thirds majority, which

is not constitutional, which violates the Constitution ought to be eliminated from the rules of the Senate. I shall suggest to the majority leader that we have a new rule come out of the Committee on Rules and Administration which will permit the Senate of the United States to act for the best interests of the people.

(The following statement by Mr. HUMPHREY, appearing in the daily RECORD of Monday, May 22, page 7510, was on his request, and by unanimous consent, ordered to be transposed and printed at this point in the permanent RECORD:)

IMMUNITY OF SENATORS

Mr. HUMPHREY. Mr. President, on Friday, May 19, in the course of my comments I discussed the rules of the Senate. In doing so I did not appropriately take note of the fact that the rule relating to immunity of Senators for statements they make on the floor of the United States Senate is based on section 6, article I, of the Constitution.

I ask unanimous consent that this statement be placed in the permanent RECORD for May 19, together with article I, section 6, of the Constitution, which reads as follows.

1. The Senators and Representatives shall receive a compensation for their services to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses; and for any speech or debate in either House they shall not be questioned in any other place.

The PRESIDING OFFICER. The time of the junior Senator from Minnesota has expired.

Mr. BREWSTER. Mr. President, I am sure the Senator from Minnesota has made a valuable contribution. I think it has brought to the fore the real issue here. I was present when the other difficulty rose over the rules, and up to the time of the adoption of the present rule there was no way under heaven of stopping discussion even on a motion to consider the measure. Adoption of the new rule is a step in the right direction. Many will agree it does not go far enough, but it is fully in the purview of the Senate at any time to proceed again, though the Senate will come to the same dead end on a motion to change the rule. It cannot be taken up. That has been the roadblock. We adopted the 64-vote rule only because we could not get anything else. We could get that, however. Now if the Senator from Minnesota and other of his associates, with their persuasive eloquence, can make a further advance, it is one which will be appreciated. But I do not think there should be criticism of those who have achieved as much as we have achieved up to date.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. HUMPHREY. It is not my desire simply to rehash the past. I think the present moment is a tragic one. I think it is a very bad moment for the Republican Party, for the Democratic Party and for the people of America. I

prefer to think of tomorrow, and to think of what we are going to do. I for one want to see the issue fought out. We have much time to stay here and fight it out.

Mr. President, I want to see the rules of this body amended in such a way that we will give, first of all, consideration to the American people so that irresponsible, reckless charges cannot be made on the floor of the Senate with the privileges of immunity, and, second, that we will carry out our responsibilities in respect to legislation for the benefit of the American people, and will carry out our responsibility not by words but by performance.

REORGANIZATION PLAN NO. 21 OF 1950

Mr. BREWSTER. Mr. President, I move that the pending motion be temporarily laid aside, and that the Senate proceed to consider Senate Resolution 265, dealing with the proposed abolition of the Maritime Commission.

The PRESIDING OFFICER. The motion will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 265) disapproving Reorganization Plan No. 21 of 1950, reported from the Committee on Expenditures in the Executive Departments without recommendation.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine that the motion to proceed to the consideration of Senate bill 1725 be temporarily laid aside, and that the Senate proceed to consider Senate Resolution 265. The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 265) as follows:

Resolved, That the Senate does not favor the Reorganization Plan No. 21 of 1950 transmitted to Congress by the President on March 13, 1950.

Mr. BREWSTER. I should like now to move a limitation of debate, but I should like to have the Senate hear first from my friend the Senator from Washington.

Mr. MAGNUSON. Mr. President, I should first like to ask the Senator from Maine how long he himself expects to discuss the resolution.

Mr. BREWSTER. I expect 15 minutes will be ample for the proponents.

Mr. MAGNUSON. Second, I wish to ask the Senator from Maine whether he expects that the Senate shall vote on the resolution today.

Mr. BREWSTER. I hope the Senate will vote on it today. We are coming near to the dead line. We have only Monday and Tuesday to consider such resolutions. I do not know what may come up. We have a larger attendance now than we have had for some time.

Mr. MAGNUSON. I expect to take at least 45 minutes to an hour myself on the matter.

Mr. BREWSTER. I have canvassed the situation as well as I can, and the Senator from Minnesota is the only Senator who indicated a desire to speak on the subject. He asked for only 15 minutes. I would accordingly move that the debate be limited to an hour and a half, to be divided equally between either the Senator from Maine and the Senator

from Minnesota [Mr. HUMPHREY] or the Senator from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. I could not agree on such a time limitation.

Mr. BREWSTER. The Senator does not need to. I think it desirable that some time limitation be fixed, however.

I move that debate be limited to one hour and a half, the time to be divided equally between the Senator from Maine and the Senator from Minnesota.

Mr. MAGNUSON. Mr. President—

The PRESIDING OFFICER. Just a moment until the Chair states the question. The motion is that debate on Senate Resolution 265 be limited to 3 hours, an hour and a half to each side.

Mr. BREWSTER. No, Mr. President. The motion was that debate be limited to an hour and a half.

The PRESIDING OFFICER. The Chair begs the Senator's pardon.

The question is on the motion of the Senator from Maine that debate be limited to an hour and a half, the time to be divided equally, and to be controlled by the Senator from Maine and the Senator from Washington.

Mr. MAGNUSON. Mr. President, I shall have to oppose that motion. I do not think we can present the case in an hour and a half.

The PRESIDING OFFICER. The motion is not debatable.

Mr. MAGNUSON. Is not a motion to limit debate open to debate?

The PRESIDING OFFICER. No. Under the reorganization law such a motion is not debatable.

Mr. EASTLAND. I suggest the absence of a quorum.

Mr. MAGNUSON. In my opinion, Mr. President, a motion to limit debate is, under the Senate rules, a debatable motion, and is not limited by the Reorganization Act.

The PRESIDING OFFICER. Under the Reorganization Act itself it is provided that a motion to consider a resolution or a motion to limit debate shall be decided without debate.

Mr. MAGNUSON. Then I suggest the absence of a quorum.

Mr. BREWSTER. We have discussed that particular question over and over again for the past week or 10 days.

Mr. MAGNUSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to withdraw my suggestion of the absence of a quorum and that the order for the call of the roll may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BREWSTER. Mr. President, I move that the time for debate on Senate Resolution 265 be limited to 1 hour and one-half, to be divided equally between myself and the Senator from Washington or the Senator from Minnesota, whichever Senator wishes to handle the time.

Mr. HUMPHREY. I shall be glad to do so.

Mr. BREWSTER. Very well; the time to be divided equally between the Sen-

ator from Minnesota [Mr. HUMPHREY] and the Senator from Maine.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MAGNUSON. In order that the Senate may be informed, let me say that it is my understanding that under the rule regarding reorganization plans, inasmuch as the resolution of disapproval of the plan is not subject to amendment, the effect of the motion just agreed to is that the Senate will vote on this matter at approximately 4 o'clock. Is that correct?

Mr. BREWSTER. That is correct.

I hope the vote may occur even a little earlier than that, because I doubt whether those of us on this side of the question will use the entire time available to us. If that occurs, we shall be happy to allow a little more time to Senators on the other side of this issue.

Does the Senator from Minnesota care to proceed?

Mr. HUMPHREY. No. I prefer that the Senator from Maine proceed. I shall speak later on.

Mr. BREWSTER. Mr. President, I shall try to persuade my two dissenting colleagues and point out that this reorganization plan is in a distinct category from most of the others we have considered. First, there was plan 6, which was adopted last year without objection, which carried out the reorganization contemplated by the Hoover Commission, and which has been operative for about 7 months. There had been exhaustive examination of the affairs of the Maritime Commission, concerned with the conduct of its affairs, prior to the time of this reorganization proposal, that is, covering the fiscal years 1948 and 1949, but not applying to its operation under the reorganization recommended by the Hoover Commission, carried into effect by the President under plan 6, without objection either by the Senate or by the House. We now face plan No. 21, of which the citizens' committee dealing with this program says in its report:

The plan 21 is in part consistent with, and in part goes considerably further than, the Hoover Commission's program.

That refers to the fact that under this plan the Commission is made for all practical purposes a subordinate agency of the Department of Commerce. It gives to the Secretary of Commerce not only the power to lay down general policies—and just what the meaning of that phrase is is not clear, but it is certainly very broad in its language, and, too, Congress was supposed to lay down the policies for the functioning of this independent Commission—but, in addition, it provides, as testified by the Secretary of Commerce, that the Secretary of Commerce shall have the power to determine routes. The power to determine routes strikes directly at the base of the power of the Maritime Commission. Authority to determine whether a given route shall be sub-

sidized is of the very essence of the power of the Commission. I asked the Secretary of Commerce, Mr. Sawyer, for whose intelligence and integrity I have the highest regard, particularly after the frank way in which he testified, about this matter. He said yes; that was the power lodged in his hands, and the responsibility. I asked him how he could exercise it. I asked him how many men he had in his department. He testified that he had 46,000 employees in his department. I said, "It is not, of course, feasible for you to do this job of determining routes all over the world, is it?" He admitted that was so. So that he would either be obliged to defer to the Commission, which very frequently might be his action, or he would be obliged in order to carry out his responsibility to set up another executive agency, as contemplated under the Under Secretary of Commerce, provision for whom is made in the plan which would not be a measure of economy.

A new Under Secretary of Commerce necessarily means a large number of employees associated with his office to assist him in fulfilling these new functions. Instead of efficiency and streamlining, and in contradistinction to the objectives of the Hoover report, this would expand and diffuse the responsibility so that either the Secretary or the Under Secretary would have to set up independent groups to determine the route allocations, and then the Maritime Commission would be obliged to go ahead and determine what lines, if any, should be put upon a given route. The question of what lines shall run on a route is still left to the determination of the Maritime Commission.

I am fortified in my impression that this plan is distinct from any of the ones we have had, by an editorial which appeared this morning in the New York Herald Tribune, which has been a constant friend of the Hoover Commission reorganization. It is an editorial dealing with this matter, and from it I should like to read very briefly:

Among the 21 reorganization proposals which Mr. Truman submitted to Congress in March, 19 were close to the spirit of the commission's recommendations. Two, however—those relating to the National Labor Relations Board and the Maritime Commission—diverged sharply; the first constituted an effort by Mr. Truman to legislate Mr. Denham, the NLRB counsel, out of office, and the second would have destroyed the Maritime Commission's independence in a field where the Hoover Commission believed it should be retained.

I ask that the entire editorial be incorporated in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S ERROR

The results of the President's error in playing politics with the Hoover Commission reports are now glaringly apparent. Among the 21 reorganization proposals which Mr. Truman submitted to Congress in March, 19 were close to the spirit of the Commission's recommendations. Two, however—those relating to the National Labor Relations Board and the Maritime Commission—diverged sharply; the first constituted an effort by Mr. Truman to legislate Mr. Denham, the NLRB counsel, out of office, and the second

would have destroyed the Maritime Commission's independence in a field where the Hoover Commission believed it should be retained. These mistakes were all that the congressional opponents of reorganization needed. One after another, proposals on the rest of the program are being voted down.

The President does not appear to have realized that the task of streamlining the Government was so big, so delicate, that it would need all the prestige of the Hoover Commission behind every plan, all of the popular support that could be mustered. The fear of Congressmen—and the many interests affected by Government agencies—that efficiency would be used as an excuse for executive usurpation, is very strong. The quality of the leadership and membership in the Hoover Commission was high enough to give the proponents of governmental reform a fighting chance. But when Mr. Truman loaded down his plans with palpable efforts to achieve political ends, all the supporters of the status quo leaped joyfully into the struggle, and are making a hash of the whole program.

It might be argued, with justice, that Congress should be more selective, that the Senators who are using arguments which are only valid against a few of the reorganization plans to condemn them all, are being neither fair nor wise. But it was the President who gave the initial grounds for suspicion and it is he who must bear the final responsibility. The reforms projected by the Hoover Commission are urgently needed; they are basic to any attempt to cut Government costs by efficient administration. Mr. Truman's efforts to use reorganization for any other purpose casts doubt upon his sincerity in tackling this problem at all, and jeopardizes a great national movement.

Mr. BREWSTER. Mr. President, that I think establishes pretty clearly that this Maritime Commission proposal is in a class by itself, or at least in a class or two by itself, and it is to be pointed out and borne in mind that the proposal to place these powers in the Secretary of Commerce constitutes what could certainly be termed a second phase. The first phase was the concentration of responsibility in the Chairman, the issue we have been arguing here all week and against which the Senate has repeatedly decided. That phase, however, was carried out under plan 6, and it has been in effect for the past 7 months. I very much hope the Senate will decide to let it operate for a while longer before taking another step, which would be quite inconsistent with the position of the Hoover Commission, particularly since this very solution was tried in 1933, soon after the former Democratic administration came into power. For 3 years the Maritime Commission was administered under the Department of Commerce, with such unfortunate effect that the action was then rescinded and the independent status of the Maritime Commission reconstituted. The Hoover Commission, in its report, declared in favor of the independence of the Maritime Commission, which would certainly be destroyed by the action which is here contemplated.

I desire to say a word also about the situation as to the acceptance or rejection of these plans. There is a feeling throughout the country, perhaps very naturally, that the Hoover Commission recommendations are not faring so well. That is a result of the fact that we have taken up those to which we have ob-

jected and have rejected some of them. The score, however, is not at all so bad as one would infer from a reading of the entirely accurate reports in the press.

Last year there were seven plans reported, of which six were accepted without serious question. The one concerned with the social welfare was rejected, and the other six went into effect. The reorganization of the Maritime Commission, consolidating its executive functions in the Chairman, in accordance with the Hoover Commission recommendation, was accepted under plan 6.

This year there have been 21 plans submitted, of which 11 have been accepted, apparently without question, as no resolutions have even been offered to reject them. The other 10 are still under question, aside from the 3 or 4 which have already been rejected. So I think the country is quite in error in the assumption that the recommendations of the Hoover Commission are not receiving considerate and sympathetic attention.

Mr. MALONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Does the Senator from Maine yield to the Senator from Nevada?

Mr. BREWSTER. I will in a moment.

This is made very clear in an article on the editorial page of the New York Times this morning, by Arthur Krock. I ask unanimous consent that the article be inserted in the Record at this point, in order to support the proposition, as he says the net score of the Hoover report is still good.

There being no objection, the article was ordered to be printed in the Record, as follows:

NET SCORE ON HOOVER REPORTS STILL GOOD
(By Arthur Krock)

WASHINGTON, May 18.—Though the Senate has disapproved the first 5 of the 21 plans to reorganize the executive branch which the President submitted in March, and prospects for 6 more are dim, friends of the general enterprise are not downhearted. Some of them offer this explanation of the Senate's current rejections:

1. The administration exceeded or altered the recommendations of the Commission headed by former President Hoover, sometimes fundamentally, as in the instance of the plan to return the functions of the general counsel of the National Labor Relations Board to the members of the Board.

2. The President, by giving precedence to certain plans that were open to charges of partisan animation, and by the timing of those he submitted, materially changed the Commission's plan of procedure.

3. These tactics enabled Members of Congress who oppose the entire reorganization concept because they want to protect certain Government personnel to cite bases of opposition more acceptable to the large public which the citizen's committee, the Junior Chamber of Commerce, etc., have assembled in favor of the Hoover Commission reports. In the words of Senator Lodge, of Massachusetts, coauthor of the resolution which established the Commission, "they gave everybody an out."

But Mr. Lodge is only one of those who believe that what has already been made effective in the Commission program justifies its creation and its cost. And many of these also feel that, though administration tactics will prevent the attainment of the

economy that otherwise was possible, the net score will be considerable when all the plans have been acted on.

THE HISTORY SO FAR

In 1949, when the reorganization plans submitted were much more faithful to the Commission's proposals, all but one became effective. The exception established a new Department of Welfare. The remaining six shifted two employment units to the Department of Labor; added to the powers of the Postmaster General; put the National Security Council and the National Security Resources Board into the President's executive office; increased the administrative powers of the Chairmen of the Civil Service and Maritime Commissions and transferred the administration of public roads to the Department of Commerce.

The 1950 submissions, 21 in number, of which the Senate has already rejected 5, to date have drawn 17 resolutions to disapprove 11 of them. By the terms of the General Reorganization Act a constitutional majority of either the House or the Senate (which means one more than half of the entire Membership) is sufficient to reject a plan. This arrangement was opposed by the administration and by many of the members of the Hoover Commission. But, while it might have been responsible for the disapproval of a good, nonpolitical plan even if the administration had been more faithful to the Commission's blueprints, the arrangement is in the public interest. The political pressure a President can successfully exert on the House is fortified by the restrictive rules of that branch.

If, as the administration urged, disapproval by constitutional majorities of both the House and the Senate had been required to kill any plan the President submitted, the legislative branch would have been too greatly subordinated in business where its responsibility is at least as great as the Executive's. Already, by the veto powers granted him in the Constitution, the President can prevent the enactment of any legislation except that which is supported by two-thirds majorities of the House and the Senate. And these must be assembled and held together for the act of overriding a veto.

TOO MUCH POWER

To have made it possible for the President to reorganize any part of the executive branch and the independent, semijudicial agencies and commissions unless both branches of Congress disapproved by constitutional majorities would have given him a new affirmative power as great as the negative one he derives from the veto. And, once a statute is enacted, this veto power enables the President to defeat the will of a two-thirds majority of one legislative branch and one short of a two-thirds majority of the other if these favor repeal of the statute. He can disapprove the repeal, and it can be effected only by two-thirds majorities in both the House and the Senate on a motion to override.

These facts induced many legislators who are sincere believers in the Hoover Commission's work to deny the Executive request that, to disapprove a reorganization plan, it must be rejected by constitutional majorities of both branches.

Of the 1950 crop the Senate followed the advice of the banking community and the Secretary of the Treasury in voting, 65 to 13, against the new Treasury plan. By 66 to 13 it defeated reorganization of the Interstate Commerce Commission that would have taken away its independence of the Executive. It voted 50 to 23 against the Federal Communications Commission plan, and 63 to 12 against the most controversial proposal—that which affected the National Labor Relations Board.

But, if the American Legion's overture of protest against legislation carrying out reports 2, 9, 14, and 15 of the Hoover Commission is an indication of how noisy this actual battle will be, we haven't heard any real uproar yet.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MALONE. I should like to ask the distinguished senior Senator from Maine, in regard to the plans which have been turned down by the Senate, if most of the plans submitted were not perverted to a certain extent, giving the Executive more power, as in the case of the labor council, as in the case of the Interstate Commerce Commission, and in several other instances, where it was not the intention of the Hoover Commission or of Mr. Hoover that we should place more power in the hands of the Executive, but it was the intention to save money and to improve the administration of such branches of the Government without placing more power in the hands of the already too powerful Executive.

Mr. BREWSTER. I think it is very clear that the Hoover Commission did not contemplate dealing with questions of policy, which are certainly implicit in the Maritime Commission proposal, nor did it contemplate destroying the independence of the Commission. It did contemplate a concentration of power in the Chairman of the Commission, but not what could be construed as control of policies. I am sure that has been the reason why some of the plans have been rejected. In this particular case the plan is not one about which I think there will be any argument. It radically alters the policy-making function of the Commission in taking away from it the determination of routes to certain areas of the world.

Mr. MALONE. That would destroy its effectiveness.

Mr. BREWSTER. It certainly would destroy its independence and stability. The curious part of it is that there are two functions dealing with subsidies. One is the so-called construction subsidy; the other is the route subsidy. On the construction subsidy there has been much argument, although some of those who have argued have come out of the same place wherein they went. The subject has been under very careful study. In 1948 and 1949 the Committee on Expenditures in the Executive Departments studied it, and the matter is having most careful scrutiny.

The route subsidy is a phase of the program which has operated with most amazing success, such success, I think, as cannot be matched in the annals of our recent fiscal policy, since on the route subsidy, in the past 10 years, the total expense of the Government for the entire subsidy program has amounted to a net of approximately \$10,000,000 as a result of the payments made by the shipping lines from their profits. That conclusively demonstrates, to my mind, the wisdom of the way in which the Maritime Commission has exercised its responsibilities in the allocation and determination of routes. That is the very power which is now proposed to be taken away from it, whereas the other power, which

has been in controversy and has been subjected to some criticism, is the one still left with the Commission. That is a rather curious way to go about it.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. BREWSTER. I shall be glad to yield.

Mr. MALONE. It has been a matter of considerable importance to the junior Senator from Nevada as to how we can make the people understand that some of these plans are not reaching the Senate in the same form in which they were recommended by the Hoover Commission. For example, most of the chambers of commerce, the junior chambers of commerce, and the women's clubs were entirely sold on the idea of the Hoover plans of reorganization, and Members of the Senate were also sold on them. The majority on this side of the aisle created the Reorganization Commission, thinking we would have a President who would put the plans into effect, save money, and spread the authority so that it could not be abused. Some of the soundest people in the United States are sold on the Hoover Commission reorganization plans but know nothing about the reorganization plans as actually submitted to the Senate and have no time at this late date to learn of the type of reorganization plan in each case as it arrives on the Senate floor. It is a serious disappointment to the people who have gone out systematically and sold the Hoover plans to counties and districts within their States that now it is found necessary to cut the throat of some of the trick plans finally served up on the Senate floor. For example, last year, when Mr. Oscar Ewing was going into the Cabinet, he had openly announced intention of putting into effect a form of socialized medicine and several other plans which had not been passed upon by the Congress. We had, therefore, to defeat the plan we had fathered.

Mr. BREWSTER. I am limited as to time, but I will say that the Senator from Arkansas [Mr. McCLELLAN] and the Senator from North Carolina [Mr. HOEY] are very close together on this matter of economy, and I think that one of the things they have found in the programs, certainly in connection with the current proposal, is that there is no substantial evidence to indicate any economy which would result. We are, instead, creating another officer under the Secretary of Commerce to administer functions which are being taken away from the Maritime Commission and placed in the Department of Commerce. There must be a whole coterie of persons to advise and furnish the Secretary with studies. So it would seem that the almost inevitable result would be that it would be uneconomical rather than otherwise.

I am sorry I am limited in time.

Mr. MALONE. The Senator is doing a very good job in presenting the matter to the Senate.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MAGNUSON. Of course the Secretary of Commerce has stated over and

over again that in taking over the administrative functions of the Maritime Commission he did not intend to hire any more employees. The fact is that he probably will screen them out and have fewer persons perform those administrative functions. The only addition to personnel would be the establishment of the office of an assistant Secretary.

Mr. BREWSTER. An Under Secretary, I think it is.

Mr. MAGNUSON. It would amount purely to an office staff. The net result, in the opinion of the Maritime Commission, would be the abolishment of several jobs; particularly, persons now employed in the Maritime Commission would be screened out.

Mr. BREWSTER. The question was gone into rather carefully by the committee when the Secretary was testifying. I think, if the Senator will read the testimony of the Secretary of Commerce, he will see that it was not contemplated that there would be any economies, and there was no evidence presented as to any economies which would result from this action. Certainly, if there were any, they were negligible.

On the other hand, there was the danger, as I have pointed out, that unless the Secretary or the Under Secretary accepted the commission as the functioning agency, it would be necessary to have more persons to do the job. If they accept the commission, why create additional jobs? That is the anomaly in the situation.

Mr. MAGNUSON. I do not want to take the Senator's time. There may be some discussion to the effect that it would not result in economy in personnel, but there has never been any indication that it would result in an increase in personnel.

Mr. BREWSTER. I was making that suggestion based entirely on the discussion.

Mr. THYE. Mr. President, will the Senator yield in order that I may make a unanimous-consent request?

Mr. BREWSTER. I yield for that purpose.

Mr. THYE. Mr. President, I ask unanimous consent that I may be absent from the Senate the remainder of this afternoon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THYE. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. THYE. Mr. President, it is my understanding that Reorganization Plan No. 21 would be voted on this afternoon, and Senate Resolution 265 is the resolution which opposes this reorganization plan. Were I present at the time the vote is taken I would vote for Senate Resolution 265 disapproving Reorganization Plan No. 21.

The PRESIDING OFFICER. The Chair takes note of the fact that although the Senator from Minnesota was excused from attendance on the sessions of the Senate for the remainder of this afternoon, his physical as well as astral body was present for some minutes thereafter.

Mr. BREWSTER. I think I have stated the reasons, Mr. President. In the first place, the plan is not in accord

with the Hoover Commission report, as the Citizens' Committee clearly pointed out. They singled it out as one plan which clearly went beyond the recommendation. Second, because the Maritime Commission has already experienced reorganization by vesting the powers in the Chairman, which is contemplated under most of the plans we are discussing. Third, because it returns to a program which was demonstrated did not operate successfully from 1933 to 1936.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. JOHNSON of Colorado. Does the Senator understand that the present plan may set a pattern for the formation of a department of transportation in one of the executive departments?

Mr. BREWSTER. That is implicit in some of the statements which have been made regarding it. I know it is a matter of concern to many of the witnesses who have testified.

Mr. JOHNSON of Colorado. Can the Senator tell the Senate to what extent shippers and others interested in maritime matters are opposed to this plan.

Mr. BREWSTER. So far as I know, opposition is almost unanimous. I have a list of the agencies which oppose it. They are the American Association of Railroads, American Waterways Association, American Trucking Association, Air Transport Association, Isbrandtsen Steamship Co., Shortline Railroad Association, National Industrial Traffic League, Southern Traffic League, Southwest Industrial Traffic League, Texas Traffic League, Freight Forwarders, National Lumber Manufacturers, Transportation Association of America, Shipbuilders Council, and Mississippi Valley Association. All of them were opposed to the implementation of plan No. 21.

Mr. JOHNSON of Colorado. That was my understanding. Those are the reasons why I made up my mind to support the Senator's resolution.

Mr. BREWSTER. I think it is of very great concern to these people.

Mr. JOHNSON of Colorado. Does the Senator know whether the opposition is fairly well based?

Mr. BREWSTER. Two members of the Committee on Expenditures in the Executive Departments who have stood up most strongly for this program of reorganization are not here and not prepared to discuss it as a result of the testimony of the Secretary of Commerce and others. Both those Senators, after opposing it, said they did not care to enter into a discussion of this program. I think the Senator from Minnesota may have something to say, but certainly he was not too eager to oppose the plan.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MAGNUSON. Does the list which the Senator has read, with the exception of the Isbrandtsen Line, contain the name of one ship operator in the United States, one maritime union, or one industry associated with our vast merchant marine which is opposed to this plan?

Mr. BREWSTER. Not one of those agencies dared to appear in opposition to

the plan, because if they did, their very existence would be at stake if the program went through. In my judgment, that is one of the most unfortunate aspects of this whole affair. So far as labor organizations are concerned, if the Senator from Washington had been at the discussions, he would have heard read excerpts from a book written by the present adviser of the Secretary of Commerce, Professor Zeis, who wrote that we should have no American merchant marine, that the whole subsidy program was ridiculous, and we ought to do away with it. He said the argument that we should have a merchant marine in order to train our seamen was equally ridiculous, because the way to train them was in the Navy.

We had a letter from a labor organization, which was not presented by the representative of that organization, Mr. Hoyt Haddock, who is assigned to protect seamen. He did not present it. They sent us the letter, saying that they endorsed this proposal. I wonder whether the Senator from Washington has asked the opinion of Mr. Hoyt Haddock, who has represented this organization and who knows more about the implications and results of this program than any other member, certainly, of a labor organization, as to what he thinks about it and what he thinks the inevitable result would be of the program which is apparently involved in this situation.

Mr. MAGNUSON. Mr. President, if the Senator will not become so excited, I will answer the question. I was here during all this discussion. I had someone from my office present at the committee meetings every day to listen to the testimony.

Mr. BREWSTER. The Senator from Washington was unfortunately detained by a nonpolitical trip. We understand that. I am not criticizing him in the slightest. If he had had an opportunity to read the evidence, I think his eyes would have been opened.

Mr. MAGNUSON. I have just spent the last 2 hours reading it, but the Senator who is a member of the Subcommittee on the Merchant Marine, of which I am the chairman, must realize that we have been holding hearings for six long weeks on maritime matters, on all these subjects. Unfortunately the Senator has not been able to attend many of those hearings. I think he attended 1 or 2 hearings out of a total of 60.

Mr. BREWSTER. Unfortunately I was there when the Senator from Washington was absent.

Mr. MAGNUSON. We are about ready to make a report. We have had about 6 weeks of hearings.

Mr. BREWSTER. I really think the Senator from Washington should speak in his own time. He is using much of my time.

Mr. MAGNUSON. This will take only a minute. In the course of the hearings we took it upon ourselves to request all those associated with the maritime industry and all shipping people to give us their opinion of this reorganization plan. So far as I know, we received no reply which was in opposition to the plan, with maybe one or two exceptions out of hun-

dreds of people who replied. There have been many informal discussions. I have talked to Mr. Haddock about this plan. Some of the people wanted to examine it, but none of them has been opposed to it. So far as I know even before the executive committee there was no testimony on behalf of the maritime people.

Mr. BREWSTER. There was testimony ex parte of the Maritime Commission which expressed very strong opposition to the arrangement prior to the time the plan was issued, after which they felt it was necessary to withhold their objection. Mr. President, I must yield the floor. How much time have I used?

The PRESIDING OFFICER. The Senator from Maine has used 27 minutes. Therefore 18 minutes remain.

Mr. BREWSTER. I now yield the floor to my friend, the Senator from Washington.

Mr. MAGNUSON. Mr. President, I hope we can get a vote on this resolution. However, I wish to take up the points mentioned by the Senator from Maine in favor of his resolution which of course is opposed to the reorganization plan. The Senator from Maine stressed the point that this plan was a departure from the Hoover Commission recommendations; that whereas many of the plans sent to Congress by the President, supported the Hoover Commission recommendations generally, this one and the one affecting the National Labor Relations Board were a departure from the Hoover Commission recommendations.

Mr. President, I do not think that is the case at all. Reorganization Plan No. 21 follows again verbatim the Hoover Commission recommendations regarding the Maritime Commission. The Hoover Commission report to Congress, in a booklet called Regulatory Commissions, in which they deal with the Maritime Commission and others, at page 12, in recommendation No. 9, recommends:

The Commission recommends that the functions of ship construction and the operation, charter, and sale of ships should be transferred to the Department of Commerce.

The functions of the Maritime Commission relating to rates, conditions of service, and the grant of subsidies should remain with that Commission.

Mr. President, that is exactly what Reorganization Plan No. 21 does. I refer also to a long statement to Congress by the Hoover Commission in the task force report, entitled "Regulatory Commissions, Appendix N," sent to Congress in July 1949. I will not take the time to read it, but they point out, insofar as the Maritime Commission is concerned, what they think is the necessity of doing exactly what plan 21 does. In other words, they separate certain present functions of the Maritime Commission, place those functions under the Department of Commerce, and leave within the so-called Maritime Board, which was in the Department of Commerce, certain other functions which now exist with them.

What is proposed is not a departure from the Hoover Commission report, and, if the Senator from Maine will listen to me, I should like to refer to the statement of Robert L. McCormick, in

the hearings on plan 21. Mr. McCormick is the research director for the Citizens' Committee on the Hoover Report, which the Senator mentioned. This is what he says:

Reorganization Plan No. 21, on the Maritime Commission, was analyzed, in advance of submission to Congress, by the staff of the citizens' committee and it was felt to offer a workable solution to an extraordinarily complex administrative matter. It is the opinion of the citizens' committee that this plan is a practical, generalized application of the Hoover Commission's recommendations for the reorganization of the Maritime Commission and for the reorientation of the Department of Commerce. The committee strongly supports Reorganization Plan No. 21, and urges that it be approved by this Senate committee. In short, I am appearing in support of the plan.

His testimony goes on at great length, covering their research and analysis of plan 21, which was analyzed before its submission to Congress, showing how it would follow out the recommendations of the Hoover Commission task-force report and the Hoover Commission report itself.

Mr. BREWSTER. Mr. President, will the Senator yield to me to read an additional sentence which I think clarifies the quotation? May I read him a further passage from Mr. McCormick's testimony immediately following?

Mr. MAGNUSON. I was about to read the rest of it.

Mr. BREWSTER. If the Senator will read the next paragraph, I think he will find that it very much qualifies what he has just said.

Mr. MAGNUSON. I do not think it qualifies it at all.

Mr. BREWSTER. Will the Senator read it?

Mr. MAGNUSON. I will read it. The officials were before the committee urging that Reorganization Plan 21 be approved, and they strongly urged it. They go further and say:

The plan is in general conformance with the specific recommendations of the Hoover Commission (recommendation 2, report on Department of Commerce), although, in putting the regulatory as well as the nonregulatory functions in the Commerce Department, the plan diverges from the Commission's program for the following reason.

Mr. BREWSTER. Did he not say this was not the Hoover Commission recommendation?

Mr. MAGNUSON. No. Plan 21 has to be in detail. The Hoover Commission recommendation to the Congress is that we should separate the two functions. It is a general recommendation. Of course, there may be some departures in this matter.

Let me take up the recommendation of the plan. I say that in general it follows the Hoover Commission recommendations, and in general carries out the recommendations of not only the Citizens' Committee but the task-force report.

The Senator made the point that this plan should not be approved because we had what he says was an unfortunate experience in 1933, when we transferred the old Shipping Board activities under the Department of Commerce. The situation in 1933 was somewhat different from the situation now. In 1933, when

the Department of Commerce had the old Shipping Board functions, we did not have a basic maritime law. Since that time the Maritime Act of 1936 has become the basic national maritime policy and law of the country. It has worked well. It has been testified to, in all the weeks of our hearings, by all those involved in the maritime business, that they were satisfied with its basic approach and general philosophy as related to the Maritime Commission.

Plan No. 21 does not in one iota affect the basic Maritime Act. It does not change one line, it does not change one function, it does not change the general basic approach, which requires operational subsidies, and the other matters with which the Senator from Maine is very familiar.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Maine.

Mr. BREWSTER. Does not the Senator consider that placing the power to determine routes in the Secretary of Commerce is both a very wide departure from the existing practice and also a most unfortunate one?

Mr. MAGNUSON. Not at all. It does not change any portion of the act. It merely says that in the establishment of routes the Secretary of Commerce shall establish the routes. The basic Maritime Act says to the Maritime Commission that certain essential trade routes shall be established. It does not say to the Maritime Commission where they shall be established, it does not say how they shall be established, it does not say to what extent, or what type of contract they shall enter into with an operator when he gets a route. The basic concept of the act is not touched. All it says is that in the establishment of what we call essential trade routes the Secretary of Commerce, because it is a commercial matter, shall establish the routes.

The Maritime Board within the Department of Commerce continues to have the full say as to the type of contract, the amount of subsidy, the type of subsidy, the chartering or the type of ships which may be used, and all the other regulatory features which go with a contract of a ship operator on an essential trade route.

In that respect there is a change and in that respect there may be some departure from the specific recommendations and discussions in the Hoover Commission Report, but every one who studies the report has repeatedly said in public statements, and the testimony of McCormick of the Citizens' Committee is, that this follows the usual recommendations. Insofar as I can see their recommendations, it does.

The Hoover task-force report also refers, in making its general recommendations, to the operation of the Maritime Commission. I would not refer to the present operations, because I do not know what changes in administrative procedure have taken place. We have first to analyze and come to a conclusion as to whether it has been bettered. At the time the task force investigated the Maritime Commission, in an effort to make recommendations as to what should

be done with that Commission, in effect they said—though I do not know whether I quote them correctly—it was the most incompetent, most inefficient commission, on the whole, in the United States Government, and they used several other adjectives of the same tenor. That is probably why they came to the quick conclusion that it probably should be reorganized, and that something of the kind proposed should be done.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Maine.

Mr. BREWSTER. The recommendation of the Hoover Commission—not the task force, which is a very different thing—was for the concentration of the administrative powers in the Chairman, which was carried out under plan 1 and plan 6, which have only been in operation for 7 months. Would not the Senator feel that while this plan is beginning to demonstrate its workability, and while the Senator from Washington is chairman of the subcommittee which has been carrying out this very extensive study, it would be desirable to defer at least the adoption of another reorganization plan, of so extreme a character as the proposed one, which takes away from the Commission the entire power to determine routes, so that in the future the Secretary of Commerce would exercise the power?

Mr. MAGNUSON. The Senator from Washington does not believe that, because the Chairman of the Maritime Commission himself has said repeatedly that he favors this reorganization, and the fact that he received only a small amount of extra authority as Chairman he does not think makes any substantial difference.

This is no departure. The Senator from Maine is worried about the establishment of further trade routes. Most of the essential trade routes in the shipping lines of the world, so far as maritime operations are concerned, have already been established.

Mr. BREWSTER. They can be disestablished.

Mr. MAGNUSON. They are already established. The plan would not change that establishment whatsoever. As a practical matter, if a route is not going to be used, the authority to make that decision as a practical matter is going to lie with the independent maritime board within the Department of Commerce, which has the authority to determine the type of contract and subsidy which shall be given. That is what counts with respect to a trade route. The matter of what is an essential trade route is pretty well established. We know what our essential trade routes are in the world. They have been patterned for many years the world over.

Mr. BREWSTER. The Senator from Washington understands that Professor Zeiss' theory is that there should be no trade routes.

Mr. MAGNUSON. Who is Professor Zeiss?

Mr. BREWSTER. Professor Zeiss is an employee of the Department of Commerce advising the Secretary of Commerce. He had him appear to testify.

He referred to him. He is the adviser to the Secretary of Commerce on maritime matters. Professor Zeiss says that there should be no trade routes. The Secretary of Commerce would have to decide between Professor Zeiss and the Commission.

Mr. MAGNUSON. I do not know who Professor Zeiss is. But I know the Secretary of Commerce does not hold to the opinion that we should not have any trade routes. The Senator from Maine has no such opinion. Neither do I have such an opinion. The world maritime trade routes are established, and the Secretary of Commerce has stated repeatedly in a letter to the subcommittee, which I shall place in the Record, and to the Committee on Expenditures in the Executive Departments, that the matter of trade routes is no longer an important matter at all, because the trade routes have been established for a long time.

The tenor of the testimony of the witnesses in opposition to the plan, not from the maritime industry at all, but from other industries, railroads, and possibly air lines and others who have a great problem of establishment of routes, is—"Oh, we are afraid that this procedure may spread to some other commissions." I do not know whether it is going to spread to some other commissions, but I know it is going to be good for the maritime industry, and those who are interested in the maritime business of the country have said so. They did not appear in opposition.

The question of trade routes might have been important years ago at the beginning of the establishment of subsidies. It is not of such importance now at all. The important thing is not the shuffling of any important trade routes, because they cannot be shuffled. We know that the North Atlantic route is an essential trade route. Nothing can change that route. Other important trade routes are the essential trade route to the western shores of South America and the essential trade route to the eastern shores of South America. We know that the great North Pacific short route to the Orient is an essential trade route. All those routes are established. No one can change them, and no one is going to change them.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield.

Mr. BREWSTER. Since the Senator has quoted the Maritime Commission, would the Senator be interested in what I shall read from the letter of February 9, 1950, to Dr. John R. Steelman, Assistant to the President, the White House, Washington, D. C., signed by Philip B. Fleming, Chairman, Grenville Mellen, Vice Chairman, Joseph K. Carson, Commissioner, and David J. Coddair, Commissioner, in which they say:

The Commission—

That is the Maritime Commission—opposes the grouping of all major promotional activities under unified direction and control. It is our considered judgment that Secretary Sawyer's distinction between regulatory and promotional activities is unrealistic and impracticable.

The letter continues:

The Commission recognizes the need for continuous improvement in the administration of transportation programs. To this end it has been engaged in major revisions of its own structure and operations under Reorganization Plan No. 6 and substantial progress has been made. It is not improvement to go back to that which has been tried and failed. The Merchant Marine Act of 1936 removed the United States Shipping Board Bureau from the Department of Commerce and restored the Maritime Commission as an independent agency.

Would that affect the Senator's view as to the position of the Maritime Commission?

Mr. MAGNUSON. No, that statement does not affect this proposal at all. The Commission was asked for suggestions when its members knew it was proposed to abolish it and move its functions elsewhere, and the commissioners made certain suggestions. There was not a complete agreement between them. Of course, the Maritime Commission itself would like a few more days of grace. After all, two commissioners are going to lose their jobs, and naturally they want to keep the authority in the Commission.

Mr. DOUGLAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. NEELY in the Chair). Does the Senator from Washington yield to the Senator from Illinois?

Mr. MAGNUSON. I yield.

Mr. DOUGLAS. Is it not a fact that last year the Comptroller General of the United States issued a report on the operations of the Maritime Commission, which was extremely critical of the way they conducted their business?

Mr. MAGNUSON. Yes.

Mr. DOUGLAS. And is it not a fact that a subcommittee of the House Committee on Expenditures in the Executive Departments, under the chairmanship of Representative PORTER HARDY issued a very thorough report also condemning the Maritime Commission for the way in which they have miscondacted affairs?

Mr. MAGNUSON. That is correct.

Mr. DOUGLAS. And is it not a fact that the same subcommittee issued in the last few days a further report confirming the charges of maladministration and condemning the majority of the Commission in the most unsparing terms?

Mr. MAGNUSON. That is correct. I will say to the Senator from Illinois that the report was made public only today, when it was submitted to the House. The subcommittee recommends the type of reorganization proposed, and continues its criticism of the Maritime Commission.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question?

Mr. MAGNUSON. Yes.

Mr. DOUGLAS. Is it not true that the one member of the Commission who was exonerated by the Comptroller General in his report, and by the subcommittee of the House Committee on Expenditures in the Executive Departments, in both its reports, was Commissioner Raymond S. McKeough, who has been in the minority right along trying to

prevent excessive subsidies on both construction and operation?

Mr. MAGNUSON. Yes; I think so. I did not read that portion of it, but I understand that is true.

Mr. DOUGLAS. And that therefore there is a clear indication that a reorganization of the Commission is needed.

Mr. MAGNUSON. I can answer the Senator best by saying that someone asked me about the reorganization plan today. I said I favored it because I thought there should be some type of reorganization of the Maritime Commission. He said he did not know too much about the details, but he said "It could not be any worse than it is. It has got to be better."

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BREWSTER. I wonder if the Senator from Illinois realizes that the construction subsidies, which represent the point which has been raised, are still left under the control of the Commission? The route subsidies are the ones that are transferred to the Secretary of Commerce. Before the Senator from Illinois came into the Chamber, I pointed out that the difficulty had been respecting construction, not routes. But the construction is what is left in the Commission. The routes are taken from the Commission. That is not the way to remedy the situation.

Mr. MAGNUSON. I have only a little time left. Of course, I think the Senator from Maine is somewhat unjustly alarmed over the question of trade routes. I can appreciate the importance of the establishment of routes in many other industries such as railroads and airlines. It becomes important to them where the routes are to be established. The air is free, and traffic can go anywhere. Sea routes, maritime routes, are not established so much by what people want. They are established on the basis of geography of the area, on the basis of long years of world trade, even as far back as to the days of the Phoenicians. Even though the Secretary of Commerce may have some preconceived special personal idea regarding a trade route, 98 percent of the trade routes that exist today are determined to be essential trade routes to the maritime industry of this country, and they are always going to be such essential trade routes. The Senator from Maine knows we are running into the problem of what we call cross trades and tramp shipping on outside routes, and not the normal trade routes. I hope that may be subject for discussion by the committee next week.

The Senator from Illinois discussed the Maritime Board. It will be an independent board. I have no idea of who will be on it. I do not know whether three members of the present Maritime Commission will be moved to constitute that board, or whether a new board will be established. I know that if this plan is adopted, the result will be to do away with much of the present inefficiency of the Maritime Commission, and to straighten out many of the complex tangles and knots which the citizens

committee has said exist in the Maritime Commission. Unless we take this step, Mr. President, I am afraid the American flag will gradually disappear from the seas.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. DOUGLAS. Is the Senator from Washington aware of a report which has been issued today by a subcommittee of the House Committee on Expenditures in the Executive Departments? On page 9 of that report, where the subcommittee deals, not with the subject of construction subsidies, but rather with the operating-differential subsidies, the subcommittee—page 9—quotes from a report of the General Accounting Office, as follows:

That analysis reveals that the calculations supporting the proved rates contain so many errors and omissions as to render the results totally unreliable.

And the subcommittee itself later observes on the same page that—

The admission of lack of the observance of such criteria in the past is indicative of maladministration.

This shows that there has been weakness on the part of the Maritime Commission not only with the construction subsidies but also with the operating subsidies.

Mr. MAGNUSON. Yes.

Of course, I wish to say to the Senator from Illinois that the arguments which have been occurring between the General Accounting Office and the Maritime Commission have not been in regard to the basic approach of the Maritime Act or in opposition to the theory that we must keep the American merchant marine alive by having operating subsidies as well as construction subsidies, which of course are needed because of the greater costs of construction in United States shipyards. On the contrary, the argument which the General Accounting Office has had has been over the poor administration and inefficiency, and in some cases the argument has been over the legal interpretation of the provisions of the Maritime Act which establish subsidies.

The General Accounting Office has said that it believes in the operating subsidies, but it raises questions as to how such subsidies are being applied to certain shipping lines, and also raises question about certain alleged discrepancies, and so forth.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question?

Mr. MAGNUSON. I yield.

Mr. DOUGLAS. I should like to ask the Senator from Washington if it is not true that the subcommittee of the House Committee on Expenditures in the Executive Departments, in its report to which I have referred—the report having been issued only today—indicates that in all probability the operating differentials which were granted were much higher than they should have been, and that the General Accounting Office indicated—page 10—that the operating-differential subsidy, instead of being 45.89, should have been 26.74.

I wonder whether this agrees with the judgment of the Senator from Washington?

Mr. MAGNUSON. I do not know about the specific matter the subcommittee is discussing at that point in the report, but certainly my experience has been that there have been a great many discussions and difficulties and arguments between the General Accounting Office and the Maritime Commission in regard to the subsidies and who is to receive them and the administration of the Maritime Act. That act is a good one, of course. However, the result has been that the American flag has been rapidly disappearing from the seas.

Therefore, Mr. President, this reorganization plan should be adopted and should go into effect, because by means of it we expect to obtain efficiency in the administration of our maritime affairs.

I think the matter is well set forth in the statement by General Fleming, who, of course, under this reorganization plan, if it goes into effect, will be removed from his present position as Chairman of the Maritime Commission. Of course, once the plan goes into effect I do not know whether he will be appointed to the board under the Secretary of Commerce; but certainly the adoption of this plan will result in removing his present authority as Chairman of the Maritime Commission. Nevertheless, he says—as pointed out by the Senator from Maine—that under the plan the new Board will determine the policy, with the exception of the trade routes. In other words, all other policies will be determined independently by the Maritime Board.

In other words, Mr. President, under this reorganization plan the new Maritime Board will administer all the functions under the provisions of the 1936 Maritime Act, other than the so-called housekeeping functions, which will be handled under the Secretary of Commerce.

Other than the housekeeping matters, so-called, all other matters will be administered by the independent Maritime Board, to consist of three members, rather than five. Experience has proved that five members are too many, because the present Maritime Commission, composed of five members, has demonstrated that it is entirely incompetent to handle all the complex details relating to our maritime affairs. I have known of times when there would be so many personal feuds going on between the five members of the Maritime Commission that they could not even have a meeting at which to determine policy. I have known other times when some of the members of the Maritime Commission would be in one place, and other members would be at another place, with the result that it was impossible for the Commission to have a quorum present at its meetings.

I have known of cases which the Maritime Commission has taken not only months but years to decide. Certainly, Mr. President, reasonably prompt and proper decisions on such matters are essential in the complex postwar readjustment of the maritime affairs of the United States.

The reorganization plan now proposed will, when adopted, result in greater efficiency. Even the Chairman of the Maritime Commission himself admits that to be so.

Under this plan, the Board will establish the policies. Then the Secretary of Commerce, through his organization, will take care of the housekeeping functions, so to speak, and will do the administrative work. Under this plan, the Secretary of Commerce will use most of the experts now serving in the Maritime Commission, those who know about maritime matters. However, the net result should be a smaller number of employees, as compared with the present employees of the Maritime Commission.

Mr. President, I think this plan is a good one, and I think it is highly desirable that it go into effect. Certainly our maritime affairs could not be handled any worse than they have been handled.

The fact that the administration of certain matters pertaining to our maritime affairs once was removed from the Secretary of Commerce, has no bearing on the present issue at all. That action was taken in 1933, at the time when the Congress did a good job in discrediting what are known as the ocean mail subsidies.

However, no one has attempted to discredit the purposes of the 1936 act, which will not be changed one iota by the adoption of this reorganization plan. After all, that act is a good one. When it is administered properly, we shall have an adequate merchant marine, operated on a most efficient basis, and at the smallest possible cost.

Of course, Mr. President, we shall have to pay subsidies. As the Senator from Illinois has pointed out, there is a great deal of argument about subsidies, not in regard to the basic principle and philosophy behind paying them, but in regard to the amount of the subsidies and contracts. As we know, for a long time the General Accounting Office and the Maritime Commission have disagreed about subsidies, including the ship construction subsidies.

The truth of the matter is that we must have efficient administration of both the operating subsidies and the construction subsidies, so that the administration of those matters will meet with the approval of the people. Otherwise we shall not have an American merchant marine.

In fact, Mr. President, it should be pointed out that today there are only seven ships under construction in the United States. On the contrary, practically all the European shipyards are humming with activity. Similarly, ship repair in United States shipyards is virtually down to the zero level.

Obviously we must have good administration of our maritime affairs, for our people will not be willing to have shipping subsidies paid unless they are satisfied that the subsidies and the activities to which they relate are being properly administered.

Certainly the investigation conducted by the Hoover Commission and the investigations conducted by other agencies show that if our maritime activities

are to be carried on in accordance with the real purpose, the good and sound purpose, of the 1936 Maritime Act, and in such a way that we shall have a sound and adequate merchant marine, they must be administered in the most efficient way possible, whereas, of course, the record shows that that has not been the case during the 4 or 5 years of the postwar period.

Mr. President, the Senator from Maine is concerned about the matter of shipping routes, which, under the plan, are to be determined by the Secretary of Commerce. Obviously, that is a change which the plan will make from the system now in existence. However, I think the Senator from Maine is unduly alarmed about that matter, when we consider the advantages to be obtained from good administration of the Maritime Act. I repeat that all of us agree that only by good administration can we expect to have our maritime problems handled properly. It seems to me that the advantages of such good administration far outweigh anything else, and that the question of who will select the shipping routes is one of minor consideration. Even if the power to select the shipping routes is given to the Secretary of Commerce, I cannot conceive that he will do a poorer job than the Maritime Commission itself has been doing. However, the matter is not particularly important, because those routes already have been established.

The important change to be made under this reorganization plan, as it relates to the shipping activities of the United States, is the creation of the independent Board of three members who will award the contracts, decide on the details, and make all the other many determinations, as the Senator from Maine knows, required to be made in the case of shipping contracts.

I know of nothing that becomes more complicated than maritime contracts. I therefore think this is a good plan. I think it is a step in the right direction. I think it is going to make a much healthier condition not only in the maritime industry but in the minds of the people whose faith has been somewhat shaken in the administration of our maritime laws and as to how shipping subsidies should be paid, and as to whom they should be paid.

The Secretary of Commerce, in a letter dated May 9, addressed to the distinguished chairman of the Committee on Expenditures in the Executive Departments, the Senator from Arkansas [Mr. McCLELLAN], explained why this is different from the 1936 act. I entirely agree with him, and I want to read merely the last paragraph of his letter:

As I see it the present situation is in no way comparable to that prevailing in 1933. In the first place, the discredited Mail Subsidy Act has been replaced by the vastly improved Merchant Marine Act of 1936. Secondly, there is now general agreement on shipping policy which was certainly not the case in 1933. In the third place, the industry itself is now in a far healthier financial position. Finally, the Department itself, as the result of recent developments, is in a better position to assume transportation responsibilities such as those provided by plan No. 21.

As I said before, we have been investigating the maritime problem for almost 6 weeks. We have had hearings constantly, at least 3 or 4 days of every week, going into all phases of the problem. We have had a very efficient staff at work. We hope to make a report on the maritime situation within the next week or 10 days, and to ask the Congress to pass on perhaps 14 or 15 bills involving the maritime industry, and relating to many matters. This plan becomes a part of the over-all approach and the attempt on the part of those of us who are interested in the maritime to straighten out some of these things, not only the administration of the Maritime Commission, but also some of the problems which are inherent in a postwar readjustment, so we may have an adequate merchant marine.

Regardless of what some professor may say, who might be in the Department of Commerce, the American people want a merchant marine. We do not want the plan that we have for the maintenance of an adequate merchant marine to be discredited through poor administration. The American people will then lose faith in this matter, a faith of which they do not now have too much. I refer to faith in subsidies. But subsidies for the American merchant marine are far more justifiable than are subsidies for any other one thing, because they deal directly with low-cost foreign competition. We learned a sad lesson in the recent world war through letting our merchant marine deteriorate because of conditions of this sort, I may say to the Senator from Illinois, notably the discrediting of the administration of maritime affairs and of the policy with respect to ocean-mail subsidies.

Our merchant marine went off the seas between the 1920's and the 1930's, whereas had we had the wise policy of the 1936 act in effect at that time, the situation would have been different. That act did not take effect until 1938 or 1939. Had we had its wise policy in the 1920's and had we paid certain subsidies, and had they been administered properly, as we are here trying to provide, and had they been taken away from the Commission, we would have saved billions of dollars. It cost us almost \$59,000,000,000 to rebuild our merchant marine, because we let it go completely to pot in the 1920's.

I think this plan is a step in the right direction. Of course, one may quibble about certain things. But I do not see how it will ever be possible to reorganize the Government if everyone is going to worry about whether every "i" is dotted and every "t" crossed. No one can devise a plan that will be acceptable to everyone. There would still be those who would say, "Oh, this may happen to us," and "We fear that this might affect the ICC, or the Federal Trade Commission, or some other independent commission in the same way." Mr. President, if it does, let us meet that situation when we reach it.

No one has testified against this plan—that is, no one from the shipping interests, no one from the maritime labor interests, no one from the allied maritime

industry. The only people who have testified against it have been those who are afraid that if this is done to the Maritime Commission, it may be done to some other commission in which they are employed. Mr. President, if it should be done to them, let us do it to them, but let us meet that problem when we reach it.

Mr. President, we are never going to reorganize the Government if we undertake to raise hobgoblins as to what might happen as a result of the one thing we propose to do. I think we can take those things into consideration, but if we consider the American merchant marine by itself and forget about the other things, I say this is a good plan. In general, it follows the Hoover report. The Hoover report did not specify many of the details, because naturally complex problems are involved.

This recommendation meets with the approval of the Maritime Commission itself. It meets with the approval of most of the people in the shipping industry with whom I have talked, both labor and shipping operators. I know they oppose certain details. They perhaps think this thing should not be done, or that. But this can only result in something better than what we have.

I hope the Senate will not reject this plan. To those who give lip service to the Hoover Commission's report, and who profess to believe in reorganization, I say here is a chance to do something toward a more efficient administration, not only of the subsidies which the taxpayers pay, but a more efficient administration of the basic concepts and basic approaches of the 1936 Maritime Act. We must do something like this. We cannot continue to stumble along as we have in the past 2 years and expect to maintain an adequate merchant marine.

Mr. BREWSTER. Mr. President, I yield 5 minutes to the junior Senator from Washington [Mr. CAIN].

The PRESIDING OFFICER. The junior Senator from Washington is recognized for 5 minutes.

Mr. CAIN. Mr. President, my colleague, the senior Senator from Washington, is of the considered opinion and view that Reorganization Plan No. 21 is a good one. The junior Senator from Washington dissents most vigorously from that point of view. I have just been reading with real interest the reasons for objection to the approval of Reorganization Plan No. 21, as set forth clearly in the report which accompanied Senate Resolution 265. This report has, as of only this morning, come to the desks of Senators. Because of the limitation of time, I should simply like to state the seven main contentions of the opponents of Reorganization Plan No. 21, and to say that I am in support of these reasons of opposition.

I have yet another reason for seriously objecting to Reorganization Plan No. 21. I am not definitely certain that the statement is a correct one, but the statement has recently been made by a number of people interested in the merchant marine throughout this country that Reorganization Plan No. 21, if it is approved by the Congress, will be likely to result in

the placing on the beach of additional thousands of American seamen in the years immediately ahead. I think it would be unwise for this body to take action, in the face of that uncertainty, until the uncertainty has been concretely resolved and done away with.

According to the committee report, the testimony in favor of the resolution of disapproval, and in opposition to the plan, developed the following seven points:

1. The plan would set a pattern of policy which is regarded as a highly objectionable innovation of the general transportation policies of the country.

2. The proposal revives in substance an administrative procedure previously tried in the early thirties, but which failed to achieve the national objective of promoting the merchant marine, as a result of which the Merchant Marine Act of 1936 was passed, creating an independent agency for that purpose.

3. If drastic changes are required in the Maritime Commission, and in the act of 1936, such changes should be initiated and accomplished through legislative channels, with adequate opportunity afforded for full hearings, and not by Executive order or by a reorganization plan.

4. It is not possible or practical to separate completely regulatory and promotional functions relating to a method of transportation such as the merchant marine.

5. The effect of submerging the administrative functions of the Maritime Commission in a department of the executive branch, already vested with broad responsibility and varied activities, is to relegate the problems of the merchant marine further down the line and remove those immediately in charge from any direct contact with the Congress or the Executive, except through the proposed Under Secretary and the Secretary, either or both of whom may have no direct knowledge or familiarity with technical maritime affairs.

6. There is no evidence whatsoever that consolidation necessarily means economy in Government operations. Neither is there any indication or assurance that the proposed transfer will result in aggressive, constructive action in the administration of merchant-marine affairs. On the contrary, there is every indication that history will repeat itself and the Government may find itself in the same position as it was in 1923.

7. The members of the Maritime Board, and particularly the Chairman, would be not only politically appointed, but would have to be politically minded. There would be no vestige of independence such as the Congress has sought to provide for the regulatory agencies which it created beginning with the Interstate Commerce Commission.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CAIN. I appreciate the indulgence of the Senator from Maine.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have placed in the body of the RECORD statements which I prepared on Reorganization Plan No. 21; also a letter addressed to the Honorable Charles Sawyer by myself, and his reply to my letter; also a letter written by the Secretary of Commerce to the chairman of the Committee on Expenditures in Executive Departments.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WARREN G. MAGNUSON ON REORGANIZATION PLAN 21

I have been very much interested in Reorganization Plan 21, in view of the fact that

I am chairman of the subcommittee of the Senate Committee on Interstate and Foreign Commerce which has been conducting an extensive study and investigation of maritime affairs generally, and operations under the Merchant Marine Act, 1936, in particular. In order to clarify some ambiguities with regard to the plan, I requested the views of the Secretary of Commerce by letter of April 5, 1950, and received a reply dated April 14, 1950. I request permission to have copies of these communications inserted in the RECORD at the end of my remarks, together with a copy of a supporting statement on plan 21 which I submitted to the Senate Committee on Executive Expenditures.

I support the plan with the following understanding of its legal significance. I believe it is desirable to set forth for the record this understanding, in order that the record may clear up any ambiguities or misunderstandings as to the legal consequences which will follow the adoption of the plan:

1. The plan does not change either the policy or the substance of the Merchant Marine Act of 1936. The plan merely transfers certain functions under the act from the present Maritime Commission to the new Maritime Board and the Secretary of Commerce. I understand that there is no intent to change the substantive law established by the 1936 act, especially the subsidy provisions. Obviously, a change in substantive law can be accomplished only by legislative, not by executive, action.

2. The 1936 act establishes the policy that the United States shall have a merchant marine sufficient to carry a substantial portion of the foreign commerce of the United States. The term "substantial portion" has been understood and uniformly construed by Congress to mean a 50-percent participation in the foreign trade. This does not necessarily require a 50-percent minimum in all trade routes. In some routes participation will be more and in others less, depending on the circumstances, but the over-all minimum target of 50 percent is firmly established by the 1936 act. All actions of the Board or the Secretary pursuant to the powers transferred under the act must conform to this policy if they are to be valid.

3. It is my understanding from the language of the plan, the President's message of transmittal, and the Secretary's letter of April 14, 1950, that the new Maritime Board will be absolutely free of interference from the Secretary of Commerce in the handling of regulatory matters, and will be subject only to general guidance by the Secretary on policy matters in handling subsidy applications. I understand that the term "guidance" has been used advisedly and that the Board is not legally required to operate within such general policies as the Secretary may promulgate, but is required to give such consideration as may be deemed appropriate to such policies in the administration of its functions. It goes without saying that the Board, in common with other executive agencies and departments, should also seek guidance from the Congress and the appropriate legislative committees.

The general policy guidance does not give the Secretary the power to limit, alter, modify, or review the actions of the Board, and the Board's determinations with respect to grants of subsidy, particularly award of operating subsidies under title VI of the 1936 act, are final and conclusive, subject only to the possibility of judicial review. As the Secretary has stated in his letter, no action taken by the Secretary under the authority delegated to him will "affect the ability of the Board to make final decisions with regard to the making, awarding, and terminating of individual subsidy contracts." At another point in his April 14 letter to me, the Secretary states: "I should like to make it clear that under the plan the Secretary has no authority either to award a subsidy or to

direct the action of the Board on a subsidy application."

4. Under the functions transferred to the Secretary is the function of determining trade-route patterns under section 211 (a) and 211 (b) of the 1936 act. The determinations of the Secretary with respect to such trade-route patterns are included among the matters on which the Secretary may wish to establish general policies for the guidance of the Board, but these policies are necessarily general in nature, and are not, I understand, intended to apply to or determine the merits of any specific application for grant of subsidy which may be under consideration by the Board. Such matters are to be finally and conclusively determined by the Board in accordance with the provisions of the 1936 act. While the Board, in making such determinations, may consider the general trade-route patterns established by the Secretary under section 211, the Board is free to make a decision on the merits, based on the record before the Board, and is in no sense controlled by the Secretary's general pattern established by section 211.

Section 211 determinations are purely ex parte. Subsidy determinations are generally based on formal proceedings, with a full record, reflecting current conditions and future prospects, established by sworn testimony. Obviously, Congress did not intend that the trade-route patterns of section 211, which are in the nature of statements of general Government objectives, should control in the handling of specific applications under title VI of the act, which in some aspects at least are quasi-judicial in nature. The last has not been so administered since its enactment.

As I stated at the opening of my remarks, substantive law is not changed by the reorganization plan. The plan merely has the effect of transferring certain of the functions to the Secretary, and, since the section 211 determinations are general in scope, involving to a large extent policy determinations, it is appropriate that these functions have been vested in the Secretary.

5. With respect to the functions transferred to the Secretary, I understand that it is the intent of the plan that these functions should be redelegated by the Secretary to the Administrator, who should function with at least the same degree of autonomy and independence as the other transportation agencies within the Department of Commerce, such as the CAA, with full discretion and responsibility and with a staff sufficient in size and scope fully and completely to implement and discharge these responsibilities.

6. Based on the above understanding, I believe the plan represents an improvement over the present structure. I hope that those charged with the responsibility of administering the functions transferred by the plan will proceed with full vigor to arrest the alarming decline in the American flag merchant marine, with the objective, first, of holding that portion of the foreign trade which is now moving in American bottoms, and second, to recapture sufficient additional traffic to meet the objectives of the act, while at the same time stimulating in every possible way a revival of the coastwise and inter-coastal trade of the United States, which has suffered such serious attrition and deterioration.

STATEMENT OF SENATOR WARREN G. MAGNUSON, CHAIRMAN OF THE SUBCOMMITTEE ON MERCHANT MARINE AND MARITIME MATTERS OF THE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, ON REORGANIZATION PLAN NO. 21, MAY 11, 1950

Reorganization Plan No. 21 in its basic concepts conforms to the recommendations of the Hoover Commission. By divorcing the regulatory functions of the Maritime Com-

mission from its executive tasks of managing a huge business—two fundamentally different types of functions requiring different types of organizations—the plan also conforms to the suggestions made in the reports of the President's Advisory Committee on the Merchant Marine and the Senate Committee on Expenditures in Executive Departments (80th Cong.). In 1948, the Senate Committee found:

"It is an anomaly that a regulatory commission should also conduct the executive function of managing a huge business; that executive functions should be carried on by an agency that is not subject to Presidential direction."

Although the plan departs in a small measure from the Hoover Commission recommendations in abolishing the Maritime Commission and creating a new Maritime Board I believe this is not a defect. Considering the strained relations of the Maritime Commission with Congress, the press, and the public, I deemed this to be a salutary provision. At first I was somewhat concerned this change might operate to curtail the independence of the Maritime Board in the exercise of its regulatory functions. However, on further study, I became convinced that the intent and proper interpretation of the plan is to preserve the independent status of the Board in regulatory matters. With respect to the authority of the Board in reaching decisions regarding the making, altering, or terminating of subsidy contracts, I am of the opinion that decisions of the Board will be reached on the basis of the discretion vested in the members and once arrived at will be final. I am attaching hereto copies of an exchange of letters with the Secretary of Commerce.

Some question has been raised relative to the authority granted by the plan to the Secretary of Commerce to determine the trade-route pattern. Congress in the Merchant Marine Act, 1936, and other shipping acts has specifically directed that the trade routes essential to serve the commerce of the United States—and that means in all of our trades—shall be established. The Secretary is bound by these legislative mandates. He would be derelict in his duties if he were to disregard the soundly declared policies of Congress. It does not seem to me that he would abandon any of our essential trade routes. This conclusion is confirmed by the Secretary's statements in the letter already referred to.

Committees of Congress concerned with supervision of the work of the Maritime Commission agree that the present organization has not lent itself to the proper administration of our shipping laws. From time to time during the past several years, they have sharply criticized the Maritime Commission. The President's Advisory Committee and the Hoover Commission reached the same conclusions. Other agencies of the Government have repeatedly pointed out the deficiencies of the Maritime Commission.

In the light of the facts, I am satisfied that Plan 21 will materially assist in correcting an organizational and administrative situation which is materially hampering the development of our merchant marine. I know that most of the shipping interests are with me in voicing concern over the future of our national maritime policy. In my opinion, plan 21 is a constructive forward step.

Furthermore we should bear in mind that Congress does not abdicate its legislative powers by approving any reorganization plan. We can always pass corrective legislation if some particular aspect of a plan does not work out as anticipated. As chairman of the subcommittee having jurisdiction in this instance, I assure you we will be most vigilant in our scrutiny of the plan in actual operation.

APRIL 5, 1950.

HON. CHARLES SAWYER,
Secretary of Commerce,
Department of Commerce,
Washington, D. C.

MY DEAR MR. SECRETARY: There is now before Congress for approval Reorganization Plan No. 21 of 1950 abolishing the Maritime Commission and creating a Federal Maritime Board and a Maritime Administration within the Department of Commerce. It transfers the regulatory functions of the Commission to the newly created Board together with certain responsibilities with respect to making, amending, and terminating subsidy contracts.

In the case of regulatory matters, the plan provides the Board "shall be independent of the Secretary of Commerce." Since it is not clear from the language used, particularly when used in its context with other provisions, whether the Board in the regulatory field is to continue to be an independent arm of Congress or whether it is to report to you as Secretary and become a part of the executive branch, we will be pleased if you will give us your interpretation of the prospective legal and factual status of the new Board.

The provisions relating to the subsidy authority of the Board provide that the actions of the Board in making, amending, and terminating subsidy contracts shall be final. Your opinion as to the authority and responsibility of the Board to make decisions on subsidy contracts without prior consultation with, or direction from your department or from other executive agencies is also solicited.

Considering the fact that the general maritime policy as set forth by Congress in the several Maritime Acts is to be under your guidance and administration, the Subcommittee on Merchant Marine and Maritime Matters of the Committee on Interstate and Foreign Commerce is further interested in having your full views relative to a program for the development and protection of our merchant marine. Your comments as to plans for the future would be of great interest to the committee. In this connection an expression of your thinking of the part which waterborne transportation has in the development of a unified and coordinated Federal program for transportation will be most helpful.

In view of the fact that the plan provides for the post of an Under Secretary of Commerce for Transportation, a summary of the respective duties to be assigned to and the spheres of authority to be exercised by yourself, the Under Secretary and the Maritime Administrator will be appreciated. A statement of your contemplated general policy in this regard will be sufficient.

Because of the short time remaining before Congress must act on the proposal, it is requested that your reply be given us on or before April 15, 1950.

Your cooperation will be deeply appreciated.

Sincerely,

WARREN G. MAGNUSON,
Chairman, Subcommittee on Merchant Marine and Maritime Matters.

THE SECRETARY OF COMMERCE,
Washington, D. C., April 14, 1950.

HON. WARREN G. MAGNUSON,
Chairman, Subcommittee on Merchant Marine and Maritime Matters, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: In your letter of April 5, 1950, you asked for my views on certain aspects of the transfer of the functions of the Maritime Commission under Reorganization Plan No. 21 of 1950. This plan establishes a Federal Maritime Board and a Maritime Administration in the Department of Commerce.

The Board would have two principal functions: Regulatory powers relating generally to rates and services, to agreements among carriers, and to trade practices; and powers to award subsidies for the construction and operation of ships. The other functions now lodged in the Maritime Commission would be transferred to the Secretary of Commerce, subject to delegation to the Maritime Administrator, who would also be the Chairman of the Board.

In the exercise of its regulatory powers over rates and services, over agreements between carriers, and over trade practices, the Board would, under section 106 of the plan, be independent of the Secretary of Commerce and would be free to report directly to the Congress. The present independence of decision enjoyed by the Maritime Commission would, therefore, in all respects be continued in the Board, with respect to these quasi-legislative or quasi-judicial regulatory functions.

If, in the exercise of these functions, the Board should wish to avail itself of any of the facilities of the Department, I should of course be glad to see that the Board is accorded full cooperation. However, such cooperation would not, in my opinion, interfere with the independence of the Board in the exercise of its regulatory functions. On the contrary, the decisions of the Board on regulatory matters would be made with complete independence, on the basis of the facts before the Board, subject only to court review. Its consideration of regulatory problems would not be subject to supervision or control by the Department, and its decisions would not be subject to review, or approval, or reversal by the Secretary or the Department. This method of operation has been found satisfactory in the case of the CAB, and I foresee no difficulty in applying the same principle to the regulatory functions of the Federal Maritime Board.

In the exercise of the powers with respect to the award of subsidies which are delegated to the Board by the plan, the Board is to be guided by the general policies of the Secretary of Commerce, under section 106 of the plan, but its actions with respect to making, amending, and terminating subsidy contracts under section 105 (1) are to be final.

This aspect of the plan appears to me to be both appropriate and practicable. This arrangement facilitates and insures coordinating the subsidy program with the programs and general policies of the executive branch relating to national defense and the national transportation program. At the same time it leaves to the independent judgment of the Board the determination of the individual concerns which are to receive the subsidy contracts and the amounts of the individual subsidies.

I should like to make it clear that under the plan the Secretary has no authority either to award a subsidy or to direct the action of the Board on a subsidy application.

Here, again, I would expect full cooperation between the Board and the Department: The Department will need the views of the Board in establishing general policies for the subsidy program to insure that the general policies will be workable and realistic; the Board may, on occasion, wish the views of the Department with respect to the application of the general policies.

Cooperation and consultation of this sort need not, and I am convinced will not, affect the ability of the Board to make final decisions with respect to making, awarding, and terminating individual subsidy contracts—decisions which will not, under the plan, be subject to review or reversal by the Secretary.

Under the plan, the Federal Maritime Board is to be an agency within the Department of Commerce. This status does not, in my view, give the Secretary or Department any authority over the regulatory functions

which the Board is to exercise independently; nor does it give the Secretary or the Department authority to alter or reverse the actions of the Board with respect to those subsidy functions as to which its actions are final.

In your letter you also inquired about my views as to the development and protection of our merchant marine.

I am convinced of the importance of the American merchant marine, and I shall support appropriate measures in the interest of providing a strong, healthy industry. The United States must have a domestic fleet adequate to meet its commercial needs. In the interest of our national security and foreign commerce, we must also have a substantial foreign-trade fleet. Operating shipyards with trained manpower for the construction and maintenance of the merchant fleet are an integral part of a vigorous and up-to-date merchant marine.

At the present time I am not prepared to make any proposals for fundamental revisions of the basic shipping legislation. I propose, if the plan takes effect, to make a thorough review of the present merchant-marine program, and if it appears from this review that changes in legislation would make the program more effective, I would submit for congressional consideration recommendations for appropriate changes in the present laws.

Until careful studies have been made it would not be possible to indicate the precise place which promotion of the merchant marine should have in an over-all Federal program for transportation. As I indicated in my report to the President, I am strongly in favor of the national transportation policy set forth in the Transportation Act of 1940, which provides for the recognition and preservation of the inherent advantage of each form of transportation and the promotion of safe, adequate, economical, and efficient service as well as the fostering of sound economic conditions in the field of transportation. I am convinced that adherence to this policy in domestic transportation will result in a flourishing domestic fleet available for use by the commerce of the United States. I also recognize that, because of our higher costs, subsidies are necessary for merchant shipping operating in international trade, if we are to remain a major shipping power and if our merchant fleet is to make an adequate contribution to national defense.

Your letter also inquired as to the general policy contemplated as regards the respective spheres of authority of the proposed Maritime Administrator, the Under Secretary for Transportation, and myself.

The Maritime Administrator would be responsible for the operations of his agency and would be vested with suitable authority to fulfill that responsibility. While the Department requires adherence to certain administrative standards and practices in the interests of economy and progressive management, it is my policy to give operating bureaus wide operating latitude. This policy would apply to the Maritime Administration, in conformance with the administrative pattern of the Department prevailing with respect to the Bureau of Public Roads, Civil Aeronautics Administration, and other major agencies.

As in the case of the other bureau heads, the Maritime Administrator would be ultimately responsible to me as Secretary. The proposed Under Secretary for Transportation would act as my deputy with respect to the programs and activities embraced within the proposed Maritime Administration, Bureau of Public Roads, Civil Aeronautics Administration, and the Inland Waterways Corporation. It would be the responsibility of the Under Secretary for Transportation to exercise general policy supervision on my behalf over all transportation activities in the Department and to assure program consistency among these several transportation

agencies. He would play a major role in developing a coherent over-all transportation policy and in assuring the effective administration of those transportation activities lodged in the Department.

If there is any further information which you would like me to supply, please let me know.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

MAY 9, 1950.

HON. JOHN L. McCLELLAN,
Chairman, Committee on Expenditures
in the Executive Departments,
United States Senate, Washington,
D. C.

DEAR SENATOR McCLELLAN: During the course of my testimony before your committee yesterday, May 8, in behalf of the President's Reorganization Plan No. 21, you suggested that I might wish to address some additional information to the committee covering that period in which the Government's maritime functions were located in the Department of Commerce.

In my prepared statement under the general heading "Organizational and statutory background" on page 2, I set forth briefly what occurred during the period from 1933 to 1936. The pertinent part reads as follows, with the especially significant parts underlined:

"By 1933 Congress had become seriously dissatisfied with the maritime situation generally, with the administration of the Government's maritime activities, and particularly with the mail-contract payments system. A Senate investigation of the mail-contract form of subsidy was conducted during the last part of 1933 and the first part of 1934. Its report, issued in May 1935, and several other investigatorial reports about the same time criticized severely the Government's maritime policies and practices prevailing in the early thirties. In 1933, the President issued Executive Order 6166 which, among other things, abolished the Board and transferred all its functions to the Department of Commerce. This transfer was made necessary by the chaotic situation wherein an inherently poor act was being administered poorly. The transfer was not designed as a final solution, but rather as a temporary expedient until permanent legislation could be passed. It was hoped some economies also might result. The new organization in the Department was known as the United States Shipping Board Bureau. The Fleet Corporation was also transferred to the Department. The 3-year life of the Shipping Board Bureau coincides with the period of congressional investigations and active legislative consideration. The reports of these investigations and of the standing committees which formulated the Merchant Marine Act of 1936 directed their criticisms at the defects in the existing legislation and at the administrative deficiencies of the agencies which preceded the Shipping Board Bureau."

The period prior to passage of the Merchant Marine Act of 1936 was a low period for the merchant marine industry and perhaps for the Government's maritime programs. This fact, however, was primarily the result of the discrediting of the mail-contract subsidy system of the act of 1928. As indicated above, the administration of this act by the independent United States Shipping Board had reached such a chaotic status by 1933 that the President found it necessary to make some kind of immediate administrative change pending congressional action. As I understand it, the Department of Commerce suddenly found itself the unwilling recipient of an already seriously aggravated administrative problem. In addition, the Department was confronted with many problems over which it had no control—for ex-

ample, the outstanding long-term mail subsidy contracts. In view of this situation, plus the sharply critical investigations in progress and the active congressional debating of the Government's basic maritime policies, it was inevitable that the industry and the Government's program should remain in a state of flux. I understand that despite this most unsatisfactory general situation, the Shipping Board Bureau within the Department of Commerce cooperated closely with Congress and succeeded in ameliorating a number of the problems it inherited. Particularly I understand the Bureau made a good record in collecting payments from the numerous firms that were then in default in their obligations to the Government.

I am informed that in the hearings of the Black Committee and in its report issued in May 1935, no criticisms were made of the Shipping Board Bureau or its administration. Similarly, I understand, in the hearings and reports of the standing committees of Congress which formulated the Merchant Marine Act of 1936, no criticisms were leveled at the Shipping Board Bureau. The Merchant Marine Act of 1936 primarily represented a change in the fundamental subsidy policy of the Government rather than a reflection on the administrative competence of the Shipping Board Bureau. It seems entirely clear that this act, or one very much like it, would have been passed whether or not the Government's maritime functions, including regulatory activities, had been placed in the Department of Commerce.

As I see it the present situation is in no way comparable to that prevailing in 1933. In the first place, the discredited Mail Subsidy Act has been replaced by the vastly improved Merchant Marine Act of 1936. Secondly, there is now general agreement on shipping policy which was certainly not the case in 1933. In the third place, the industry itself is now in a far healthier financial position. Finally, the Department itself, as the result of recent developments, is in a better position to assume transportation responsibilities such as those provided by plan No. 21.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

Mr. HUMPHREY. Mr. President, the Senator from Minnesota would like to know how much time remains.

The PRESIDING OFFICER. Four minutes.

Mr. HUMPHREY. Mr. President, in the remaining 4 minutes it is only necessary to make a very brief summary of the case presented so concisely and convincingly by the Senator from Washington [Mr. MAGNUSON]. The Senator pointed out that on three different occasions the Maritime Commission has been subject to what might be called intensive and exhaustive investigation. The most recent investigation of the activities of that commission was cited by the Senator from Illinois [Mr. DOUGLAS].

I think it is very important that the Members of the Senate should be aware of some of the general language in connection with the recent investigation. For example, in the report of the House subcommittee of the Committee on Expenditures in the Executive Departments, in reference to the operations of the Maritime Commission, we find on page 11 the following statement:

The record of hearings on these sales points up sharply administrative delays in making determinations, poor record keeping, delays in billing and collecting.

That points up part of the general administrative confusion.

On page 12 of the same report, in very devastating language, Mr. President, the committee has this to say:

No satisfactory explanation for long delays is apparent in the record of the hearings, and your subcommittee considers this subject to be another example of the general administrative inadequacy pervading the Commission.

Because of the limitation of time I merely cite the report from the House Committee on Expenditures in the Executive Departments, and say that it is filled with the inadequacies and the weaknesses of the administrative procedures and practices of the Maritime Commission.

It is important to note that the witnesses who testified before the Senate Committee on Expenditures in the Executive Departments, of which I am a member, represented those interests which were involved in the shipping industry, and, on the other hand, they represented interests primarily concerned with sound public administration. Mr. Robert McCormick, representing the Citizens Committee on the Hoover Report, testified that Reorganization Plan No. 21 was analyzed by the committee and it was believed the plan offered a workable solution to the complex administrative situation. It should also be noted that insofar as the separation of functions of the Commission, as provided under the plan, is concerned, it keeps within the specific requirements of the recommendations of the Hoover Commission.

There is plenty of evidence on hand to show that there is hardly an agency in the Government that has failed in its responsibilities quite so much as has the Maritime Commission. I believe its failure is not due to the men serving on the Commission; I believe they want to do a good job; but the sad fact is that because of the administrative organization of the agency it is utterly impossible to do a good job.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Is it not true that, while the reports of the House Committee on Expenditures in the Government Departments have been unsparing in their criticism of a great many members of the Commission, they have also specifically pointed out that Commissioner McKeough has consistently fought to defend the public interest and to keep the subsidies within bounds?

Mr. HUMPHREY. I think the report is very clear, insofar as Commissioner McKeough is concerned, that he is working in behalf of the public interest. One of the real reasons why there is a fight against the plan is because of the language of the plan. It provides that the subsidy policies shall be determined by the Secretary of Commerce. It is exactly for this reason that some of the shipping interests, joined by their railroad brethren, have determined they are going to fight the plan because the Secretary of Commerce has the right to set the general policy of subsidies. That means it will be a matter of public no-

tice. The American people will, at long last, find out where the money is going and what is the subsidy policy. Up to this time it has been sort of a Mexican-bean game. At just about the time we find out where the subsidy will go, they shift the beans. The general policy of subsidization will be made a matter of public record.

As a member of the Committee on Expenditures in the Government Departments I took note of the fact that there seemed to be a good deal of cooperation on the part of the shipping interests and the railroads in fighting plan No. 7, which pertains to the Interstate Commerce Commission. Ordinarily the railroads of the country and the steamship lines are at each other's throats. There is a constant fight between them. But as to plan 21 I notice a love feast. Whenever there is a plan before us which is going to work in the public interest, we find every special interest in America lining up against it.

Mr. President, I hope the resolution will be rejected and that the plan as submitted by the President will be accepted in the public interest.

Mr. BREWSTER. Mr. President, I should like to have the attention of the Senator from Illinois. I should like to instruct him—

Mr. DOUGLAS. Mr. President, may I say I am always delighted to be instructed by the distinguished Senator from Maine.

Mr. BREWSTER. I have listened to the Senator's able remarks. I recall that in San Francisco there is a little cemetery in which the most handsome monument erected is to the memory of a man who was lynched by mistake. The lynchers erected a monument expressing their great regret, although there was nothing they could do about it. I am sure the Senator from Illinois is not in sympathy with a procedure of that character, although much of his discussion and that of the Senator from Washington [Mr. MAGNUSON] lends itself to such a construction.

In the first place, the Senator from Illinois lauds the services of Commissioner McKeough. I share in that confidence and support, and I should like to point out to the Senator that Commissioner McKeough was not satisfied with the letter sent by the other members of the Commission supporting this plan. He wrote a report of, I believe, 52 pages, pointing out the utter impossibility of making any such program work and stating how firmly he was opposed to it. So far as Commissioner McKeough is concerned, I gather the Senator from Illinois would have respect for his opinion, and would desire that his policies should continue.

The other curious thing is that the Chairman of the Commission, within the past 7 months has been given the administrative responsibility recommended by the Hoover Commission. In order to bring about a better functioning of the Board, in accordance with several plans that have been advanced, he has been given those powers and he has had them for about 7 months. It is our hope that in that period great progress has been made. I wish to point out further to

the Senator from Illinois and the Senator from Washington that all the criticisms are concerned with the report of the General Accounting Office on the fiscal years 1948 and 1949, before General Fleming had even taken office as Chairman and before he was associated with the powers which he is permitted to exercise. Therefore, to go forward and condemn the Commission as now constituted, with the powers now exercised by the Chairman, with a possibility of achieving the efficiency which is desired, is to hang the wrong man.

Mr. DOUGLAS. May I say to my good friend from Maine, that while I did not intend to single out General Fleming for criticism, the report of the House subcommittee indicates that he also has been at fault.

Thus, after quoting the cross-examination of General Fleming by Mr. Peyton, the committee said, on page 28:

These remarks on the part of General Fleming, when related to the Mellen memorandum and to the statute, show either a complete lack of understanding of the subject matter or a desire to meaninglessly quibble.

There are other similar passages. For instance, on page 26 there is also a statement by the subcommittee which reads as follows:

It should be noted that Chairman Fleming here takes the position that all actions of the Commission on the six vessels in question are completely justified and indicates no review action necessary. The calculations involved were, to a large extent, under the supervision of the same person who supervised the admittedly unsupported results arrived at in connection with betterment and operational subsidies.

There are also other criticisms of the work of the Chairman, General Fleming, on pages 26, 27, 29, 30, and 31 which I should like to read.

Mr. BREWSTER. I am sorry, but I cannot yield further to the Senator from Illinois.

Mr. DOUGLAS. I am sorry, but since the Senator from Maine wished to admonish and correct the Senator from Illinois, I think it is proper that the Senator from Illinois should admonish and correct the Senator from Maine.

Mr. BREWSTER. For the further enlightenment of the Senator from Illinois, I should like to quote from the testimony before the Committee on Expenditures in the Executive Departments, at page 47, what the Senator from Connecticut [Mr. BENTON] had to say. The Senator from Connecticut has been one of the most wholehearted supporters that reorganization has had. He is speaking to the Secretary of Commerce, who came before us with almost a complete ignorance of the program, and to whom we are being asked to entrust this responsibility. The Senator from Connecticut said:

It seems to me that your oral testimony runs counter to the objective of the Hoover Commission on its many recommendations in many areas of the Government, where we are trying to fix responsibility on a responsible executive where we can see it.

In other words, the Senator from Connecticut pointed out that Secretary Sawyer has even contradicted himself in his

testimony. That accounts for the fact that neither the Senator from Minnesota [Mr. HUMPHREY] nor the Senator from Connecticut [Mr. BENTON] cared to indulge in a discussion of this matter. They were impressed with the apparent confusion in the situation and also by the fact that the plan clearly went beyond the intent which was contemplated by the Hoover Commission.

Mr. BENTON. Mr. President, will the Senator yield for a question?

Mr. BREWSTER. I yield.

Mr. BENTON. Does the Senator from Maine know that the Secretary of Commerce later submitted a letter to the Committee on Expenditures in the Executive Departments clarifying this point and bringing clearly into line his attitude with his testimony and the testimony of the Bureau of the Budget?

Mr. BREWSTER. Yes, I am quite familiar with that. My point was simply that even the Solomon to whom the functions would be transferred found it necessary to have a letter written to clear up the confusion in his own mind. So we are not making progress by transferring from one commission to another.

What I think we should have clearly in mind is that under plan 6 last year we did carry out much of the reorganization contemplated by the Hoover Commission with relation to the Maritime Commission. We gave to the Chairman the administrative responsibility which it was believed was desirable, and that has been in effect for some 7 months. I believe it will result in great improvement. The Committee on Interstate and Foreign Commerce and the subcommittee headed by the Senator from Washington [Mr. MAGNUSON] have been carrying on an extensive study for the past 6 months of all ramifications of maritime policy. We are about ready to report, and we are about ready to make recommendations regarding legislation. Certainly it would seem to me that before we made another radical change which goes clearly beyond the recommendations of the Hoover Commission, as stipulated in their own report, it would be well for us to await the recommendations of the Interstate and Foreign Commerce Committee which has been making exhaustive studies for 12 months at a cost of more than \$50,000, and ascertain what we can get for our money before we make another radical move of this character, which will inevitably result in adding further confusion to the situation.

There are a great number of applications, action on which would be in doubt. It is provided in the law that in order for anyone to be allowed more than 33 1/3 percent subsidy four members of the Commission must vote affirmatively. If this plan goes through there will not be four members. I do not know what is contemplated by those who drafted the act with respect to that.

Mr. MAGNUSON. I have a long letter from the Director of the Budget in which those questions are clarified.

Mr. BREWSTER. I would be very glad to have the Senator put the letter into the Record.

Mr. MAGNUSON. He suggested it should be two members.

Mr. BREWSTER. I am glad to see efforts being made to reconcile it. I do not believe, however, there is time to have it clarified now.

Mr. MAGNUSON. The chairman of the committee would like to put the letter into the Record.

Mr. BREWSTER. I shall yield to him for that purpose.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have inserted in the body of the Record at this point a letter from the Director of the Budget addressed to me, dated May 19, 1950, pertaining to Reorganization Plan No. 21.

There being no objection, the letter was ordered to be printed in the Record, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 19, 1950.
Hon. JOHN L. McCLELLAN,
Chairman, Committee on Expenditures in the Executive Departments, United States Senate, Washington, D. C.

MY DEAR SENATOR McCLELLAN: I wish to acknowledge your letter of May 17 presenting three questions concerning Reorganization Plan No. 21 of 1950 on which you desire additional information. I am answering these questions in the order in which you presented them.

"1. Under the Merchant Marine Act, certain actions by the Commission, such as award of construction subsidies exceeding 33 1/3 percent, require four votes. Since the new board will have only three votes, what will be the voting requirements in such cases under the plan?"

This problem is covered by section 102 (d) of the plan, which provides: "Any two of the members in office shall constitute a quorum for the transaction of the business of the Board, and the affirmative votes of any two members of the Board shall be sufficient for the disposition of any matter which may come before the Board." The only alternative to this provision would be to require a unanimous vote of the three members of the Federal Maritime Board in the cases where the Merchant Marine Act, 1936, now calls for the affirmative votes of four of the five members of the Maritime Commission. The requirement of a unanimous vote, however, would not be practicable since it might block action and seriously interfere with the effective prosecution of the maritime programs.

"2. Who is to control the submission of requests for appropriations from Congress and sponsorship thereof on matters under the jurisdiction of the Board, such as the amount to be requested for operating and construction subsidies?"

The budget of the Board will form a part of the budget of the Department of Commerce. Insofar as the regulatory functions of the Board are concerned, however, the Department will have no authority to make any changes in the Board's estimates because section 106 of the plan specifically makes the Board independent with respect to such functions. In this connection, I might point out that under a similar provision in plan IV of 1940, on the relation of the Civil Aeronautics Board to the Department of Commerce, the Department has never attempted to revise the estimates of the Board for functions with respect to which the plan guarantees the independence of the Board. As to other functions of the Maritime Board, the estimates will be subject to review by the secretary under the Budget and Accounting Act. I should point out that the ultimate control over the budget submitted to the Congress for maritime subsidies will reside in the President as it now does.

"3. The merchant-marine policy as fixed by Congress in its statement of policy in the Merchant Marine Act of 1936 contemplates that a 'substantial' portion of all foreign trade will be carried in American-flag bottoms. This is usually interpreted to mean 50 percent over-all target—with individual routes varying above or below, depending upon conditions. In establishing trade-route patterns, is the Secretary required to observe the 50-percent objective or may he establish a trade-route pattern which contemplates a different objective?"

The Secretary of Commerce will be governed by the policies set forth by the Merchant Marine Act of 1936 just as fully as the Maritime Commission is. The first section of this act declares:

"It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine (a) sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times, (b) capable of serving as a naval and military auxiliary in time of war or national emergency, (c) owned and operated under the United States flag by citizens of the United States, insofar as may be practicable, and (d) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizens personnel. It is declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine." (June 29, 1936, ch. 858, title 1, sec. 101, 49 Stat. 1985).

The Secretary of Commerce has definitely stated in a letter to you that he believes in these policies and will give them his full support. In a recent letter to Senator Magnuson, he further said:

"I am convinced of the importance of the American merchant marine, and I shall support appropriate measures in the interest of providing a strong, healthy industry. The United States must have a domestic fleet adequate to meet its commercial needs. In the interest of our national security and foreign commerce, we must also have a substantial foreign trade fleet. Operating shipyards with trained manpower for the construction and maintenance of the merchant fleet are an integral part of a vigorous and up-to-date merchant marine."

While the Merchant Marine Act contemplates that a substantial portion of our foreign trade be carried in American vessels as you state, it does not specifically provide that 50 percent of the trade be so carried. At some times this ratio has been exceeded and at some others it has not been possible to attain such a percentage. The exact percentage of our foreign commerce that can be carried in American bottoms depends on a variety of factors, many of which are beyond the control of the Government. To the extent that this percentage can be determined by the Government, the most basic factors are the type of subsidy system established by the Congress and the amounts appropriated by it for subsidy purposes. Within these limitations, I feel certain that the Secretary of Commerce will do his utmost to achieve the development of a strong American merchant marine.

Sincerely,

FRANK PACE, Jr.,
Director.

Mr. BREWSTER. This plan goes further than any other plan which has been presented. We have agreed to the original plan No. 6, which embraces much

of the proposal of the Hoover Commission. We are trying that out now. Why should we be required or expected to go beyond this to a plan which will absolutely change the entire character and function of the Maritime Commission and put it in the hands of the Department of Commerce, where it was once before and we found it would not work? That is incomprehensible to me. The Commission has had difficulties, as have other commissions, but as an independent agency of the Government functioning under the reorganization plan proposed by the Hoover Commission, it is entitled to a fairer and further trial than it has yet received. Therefore, I earnestly hope the Senate will adopt the resolution in order to postpone the functioning of the contemplated Reorganization Plan No. 21.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to Senate Resolution 265, to disapprove Reorganization Plan No. 21.

Mr. HUMPHREY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Hill	Magnuson
Anderson	Hoey	Malone
Benton	Holland	Martin
Brewster	Humphrey	Maybank
Bricker	Hunt	Neely
Butler	Ives	O'Connor
Eyrd	Jenner	O'Mahoney
Cain	Johnson, Colo.	Robertson
Capehart	Johnson, Tex.	Russell
Chapman	Johnston, S. C.	Schoeppel
Cordon	Kefauver	Smith, Maine
Darby	Kern	Smith, N. J.
Donnell	Kilgore	Sparkman
Douglas	Knowland	Stennis
Dworshak	Leahy	Taft
Eastland	Lehman	Thomas, Utah
Eaton	Lodge	Tobey
Ellender	Long	Tydings
Ferguson	Lucas	Watkins
Fulbright	McCarran	Wherry
George	McCarthy	Wiley
Gillette	McClellan	Williams
Green	McFarland	Young
Hayden	McKellar	
Hendrickson	McMahon	

The PRESIDING OFFICER. A quorum is present.

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from California [Mr. DOWNEY] and the Senator from North Carolina [Mr. GRAHAM] are absent because of illness.

The Senator from Delaware [Mr. FREAR] is absent by leave of the Senate on official business.

The Senator from Montana [Mr. MURRAY] is absent because of a death in his family.

The Senator from Pennsylvania [Mr. MYERS] and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Texas [Mr. CONNALLY] and the Senator from Idaho [Mr. TAYLOR] are detained on official business.

The Senator from Kentucky [Mr. WITHERS] is necessarily absent.

I announce further that if present and voting, the Senator from Texas [Mr. CONNALLY], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Idaho [Mr. TAYLOR] would vote "nay."

Mr. WHERRY. I announce that the Senator from Iowa [Mr. HICKENLOOPER], the Senator from North Dakota [Mr. LANGER], the Senator from Colorado [Mr. MILLIKIN], the Senator from Oregon [Mr. MORSE], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from South Dakota [Mr. MUNDT] is absent on official business.

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Minnesota [Mr. THYE] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], and the Senator from South Dakota [Mr. GURNEY] are detained on official business. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

The Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from Minnesota [Mr. THYE]. If present and voting the Senator from Massachusetts would vote "nay," and the Senator from Minnesota would vote "yea."

The yeas and nays resulted—yeas 14, nays 59, as follows:

YEAS—14		
Brewster	Eastland	Malone
Cain	Eaton	Stennis
Capehart	Johnson, Colo.	Wherry
Cordon	Long	Wiley
Donnell	McCarran	
NAYS—59		
Alken	Holland	Magnuson
Anderson	Humphrey	Martin
Benton	Hunt	Maybank
Bricker	Ives	Neely
Butler	Jenner	O'Connor
Eyrd	Johnson, Tex.	O'Mahoney
Chapman	Johnston, S. C.	Robertson
Darby	Kefauver	Russell
Douglas	Kern	Schoeppel
Dworshak	Kilgore	Smith, Maine
Ellender	Knowland	Smith, N. J.
Ferguson	Leahy	Sparkman
Fulbright	Lehman	Taft
George	Lodge	Thomas, Utah
Gillette	Long	Tobey
Green	Lucas	Tydings
Hayden	McCarthy	Watkins
Hendrickson	McClellan	Williams
Hill	McFarland	Young
Hoey	McKellar	
	McMahon	

NOT VOTING—23		
Bridges	Hickenlooper	Pepper
Chavez	Kerr	Saltonstall
Connally	Langer	Taylor
Downey	Millikin	Thomas, Okla.
Flanders	Morse	Thye
Frear	Mundt	Vandenberg
Graham	Murray	Withers
Gurney	Myers	

The PRESIDING OFFICER. On this vote the yeas are 14, the nays 59. A majority of the authorized membership of the Senate not having voted in the affirmative, the resolution (S. Res. 265) is not agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 476) making temporary appropriations for the fiscal year 1950, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 476) making temporary appropriations for the fiscal year 1950, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

RECONSTRUCTION FINANCE CORPORATION

Mr. FULBRIGHT. Mr. President, Senate Resolution 219, adopted February 8, 1950, ordered the Banking and Currency Committee or its subcommittee conducting a study of the operations of the Reconstruction Finance Corporation to report its findings and recommendations for legislation to the Senate at the earliest practicable date, but not later than June 1, 1950.

After commencing its study of the Reconstruction Finance Corporation, it became apparent to the committee that the thorough study of the operation of the Reconstruction Finance Corporation which was ordered to be undertaken could not be completed by June 1, 1950. The committee is of the opinion that the study of the Reconstruction Finance Corporation is very important. It involves a matter of basic national policy, namely, the extent to which the Government ought to engage in the business of lending to private enterprise during a peacetime, nonemergency period. A superficial study of this important matter of public policy would not be helpful to the Congress.

The committee has instructed me to request an extension of the time within which the committee may complete its study and file its report. Accordingly, I submit and send to the desk at this time a resolution to accomplish this purpose, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Res. 279) was read by the Chief Clerk, as follows:

Resolved, That the authority of the Committee on Banking and Currency, or any duly authorized subcommittee thereof, under Senate Resolution 219, Eighty-first Congress, agreed to on February 8, 1950 (providing for a study of the operations of the Reconstruction Finance Corporation and its subsidiaries), is hereby continued until July 15, 1950.

The PRESIDING OFFICER. Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the resolution (S. Res. 279) was considered and agreed to.

Mr. FULBRIGHT. Mr. President, for the purpose of expediting its study and availing itself of the services of legal counsel and assistants, the committee has also instructed me to introduce a joint resolution exempting counsel and assistants of the subcommittee from the operation of certain Federal statutes. This resolution is identical in terms and effect with joint resolutions previously passed by the Congress with respect to counsel for other committees. Accordingly, I introduce and send to the desk at this time a joint resolution to

accomplish this purpose, and ask unanimous consent for its immediate consideration.

The joint resolution (S. J. Res. 183) to suspend the application of certain Federal laws with respect to attorneys and assistants employed by the Subcommittee on Reconstruction Finance Corporation of the Banking and Currency Committee of the Senate in connection with the study ordered by Senate Resolution 219, Eighty-first Congress, second session, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That service or employment of any person as an attorney, or assistant, on a temporary basis to assist the Subcommittee on Reconstruction Finance Corporation of the Banking and Currency Committee of the Senate in the study ordered by Senate Resolution 219, agreed to on February 8, 1950, shall not be considered as service or employment bringing such person within the provisions of sections 281, 283, or 284 of title 18 of the United States Code, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the joint resolution?

Mr. DONNELL. Mr. President, reserving the right to object, let me say that it has been difficult for me to hear the Senator's explanation. Will the Senator please repeat it?

Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. Those who desire to converse will please retire at once to the cloakrooms.

Mr. DONNELL. I thank the Chair, in view of the importance of this matter.

Mr. FULBRIGHT. Mr. President, let me say to the Senator from Missouri that the joint resolution would exempt the employees of the subcommittee from the operations of section 281, 283, or 284 of title 18 of the United States Code. Those are provisions of law which assess penalties against Government employees who have any dealings relating to matters in which the Government is directly or indirectly interested. The same provision of law also applies to Members of Congress, preventing Members of Congress from accepting fees or other payments in connection with cases against the Government.

I understand that in the case of temporary employment of counsel by subcommittees such as ours and the Tydings subcommittee of the Foreign Relations Committee and the Kefauver special committee, it is customary to exempt the attorneys employed on a temporary basis from the operation of those laws. Most of these employees come from legal offices which, in the routine conduct of their business, may be handling claims against the Government. Of course, it would be purely by chance that any of them would relate to the business before the subcommittee.

I am told that the exemption we now request to be made is a routine and cus-

tomary one, and that one was made a few days ago in the case of the subcommittee of the Foreign Relations Committee, known as the Tydings committee.

Mr. DONNELL. I thank the Senator. The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

TEXMASS PETROLEUM CO. LOAN—INTERIM REPORT OF A COMMITTEE (S. REPT. NO. 1689)

Mr. FULBRIGHT. Mr. President, there is one other item which I should like to present at this time.

I shall shortly send to the desk the report of the Subcommittee on Reconstruction Finance Corporation of the Senate Banking and Currency Committee on the loan to the Texmass Petroleum Co.

Before filing the report, however, I desire to make a few brief comments which may be helpful to the Senators in their consideration of this report, which is an interim report.

The subcommittee has agreed that the proper way to find out about the operations of the Reconstruction Finance Corporation is to make a detailed study of specific loans. In this way, we can observe how the Reconstruction Finance Corporation is interpreting and applying the broad lending powers, and the limitations thereon, contained in the Reconstruction Finance Corporation Act. Broad generalities, by themselves, can be discussed endlessly without arriving at any clear agreement as to their meaning. But when general principles are applied to specific facts in an actual case, then their intent becomes clearer.

The report to be submitted today deals with the loan to the Texmass Petroleum Co. in the amount of \$15,100,000, of which the Reconstruction Finance Corporation will supply \$10,100,000.

The subcommittee's staff conducted a preliminary study of the facts and record with respect to the Texmass Petroleum Co. loan.

The facts with respect to the Texmass Petroleum Co. loan were called to the attention of the Comptroller General of the United States, since the preliminary study of the staff indicated the possibility that the granting of this loan might be without authority of law. After a study of the facts, the Comptroller General in a written opinion advised the subcommittee that unless additional facts would explain and refute the evidence before him, he would undoubtedly report the Texmass loan as being one without authority of law. This report would be made in his regular audit report under the Government Corporation Control Act, which requires him to call to the attention of the Congress any transaction observed in the course of his audit which in the Comptroller's opinion is illegal.

The subcommittee held three hearings, on April 13, 22, and 27, 1950. The record has been printed and is available for the use of the Senators. With respect to the report, I wish to emphasize the following:

It has been unanimously approved by the members of the subcommittee.

It was submitted to the full Committee on Banking and Currency, and by them was approved and ordered to be filed with the Senate.

Prior to the issuance of this report, the subcommittee made copies available on a confidential basis to the Reconstruction Finance Corporation, inviting comments either as to the accuracy of the facts or the fairness of the subcommittee's conclusions.

It is the view of the committee that the Texmass loan is not in accord with the intent of Congress.

In a series of extensions the Texmass Petroleum Co. was given eight months from the date of the original loan resolution, September 29, 1949, within which to meet conditions of the loan. The last extension granted occurred after two of the subcommittee's hearings, in which facts were developed and brought to the specific attention of the directors of the Reconstruction Finance Corporation, which in the judgment of the subcommittee should unquestionably have led the directors to decline requests for further extensions. Prior to this last extension the directors had also been informed of the conclusions of the subcommittee with respect to the Texmass loan. On Wednesday, May 17, 1950, the Texmass Petroleum Co. loan funds were disbursed.

I do not propose to take the time of the Senate to review the facts, since they are fully set forth in the subcommittee's hearings and in the report. However, I do desire to read into the record at this point the conclusions unanimously approved by the subcommittee. They are as follows:

CONCLUSIONS OF THE SUBCOMMITTEE

From its study of the facts and circumstances surrounding the Reconstruction Finance Corporation loan to the Texmass Petroleum Co., the subcommittee makes the following findings and conclusions:

1. From the record before the subcommittee, it is evident that the Board of Directors of the Reconstruction Finance Corporation gave only casual and superficial consideration and study to the Texmass Petroleum Co. loan. Those directors who approved this loan, and extensions thereof, disclosed inadequate knowledge of the significant facts and features of the Texmass Petroleum Co. loan. They overruled the findings and recommendations of their own review committee without persuasive evidence justifying such action.

The subcommittee believes that the lending of public funds is a function requiring at least an equal degree of care with that desirable for the protection of the investing public. The record shows, however, that the Securities and Exchange Commission in reviewing the registration of certain securities of the Texmass Petroleum Co. scrutinized the representations of the Texmass Petroleum Co. and the significant facts far more thoroughly and effectively than did the Board of Directors of the Reconstruction Finance Corporation with respect to the loan.

The subcommittee is of the opinion that the Directors of the Reconstruction Finance Corporation were remiss in their duty both in failing to avail themselves of the full facts within the control of the Securities and Exchange Commission and in failing to give adequate weight to those facts.

2. On the record before the subcommittee it appears that the primary consideration in the Texmass Petroleum Co. loan is not in the interest of the general public. On the contrary, it is primarily a "ball-out" of existing creditors of the borrower. Eighty-one percent of the loan funds will go to insurance companies, banks, other creditors, and individual investors, minimizing their risk of loss in a highly speculative venture.

3. The Reconstruction Finance Corporation has failed to convince the subcommittee that this loan is of the character intended by Congress to be made under the authority of the Reconstruction Finance Corporation Act of 1948. The Reconstruction Finance Corporation in its records, its statement to the subcommittee and the testimony of its officials has not made an affirmative showing that this loan will, as prescribed in the act, "encourage small business," "help in maintaining economic stability of the country," and "assist in promoting maximum employment and production," to the extent necessary to justify disbursement of public funds "to aid in financing agriculture, commerce, and industry."

4. The Reconstruction Finance Corporation has not established that the financial assistance to the Texmass Petroleum Co. "is not otherwise available on reasonable terms," as required by the act. The subcommittee has in mind that the venture is of such speculative nature that financial assistance should have been provided, in part at least, by risk capital from private sources.

5. The Reconstruction Finance Corporation has not shown that the loan is of such "sound value or so secured as reasonably to assure retirement or repayment," as required by the act. On the estimates of reserves and earnings most favorable to the borrower, relied upon by the Reconstruction Finance Corporation, the loan cannot be repaid within 10 years, the maximum period for which Reconstruction Finance Corporation is authorized to make business loans. On the basis of estimates relied upon by the Reconstruction Finance Corporation of the value of the oil and gas reserves and equipment offered as collateral by the Texmass Petroleum Co. and the formula employed by the Reconstruction Finance Corporation to determine the sound loan value of such collateral, a loan in the amount of \$15,100,000 is not justified.

I now send to the desk the interim report on the Texmass Petroleum Co. loan.

The PRESIDING OFFICER. Without objection, the report will be received and printed.

THE PRESIDENT'S CABINET MEETING IN CHICAGO—AN EDITORIAL FROM THE INDIANAPOLIS STAR

Mr. CAPEHART. Mr. President, I desire to read an editorial which appeared in the Indianapolis Star on Tuesday, May 16, 1950, the caption of which is "An Insult to the Republic":

AN INSULT TO THE REPUBLIC

The irresponsible, arrogant, power-drunk slapstick nature of the Truman administration has never been better revealed than by the public meeting of the President's Cabinet Sunday on the stage of a Chicago opera house.

Never before has a presidential cabinet done such a thing. Gathered there on the Chicago stage were the highest ranking administrators of American Government—men who had deserted their Washington posts in a time of crisis to go to Chicago at the people's expense and cavort publicly for the political benefit of their boss, Harry S. Truman.

No effort was made to disguise the political nature of the meeting. Party chairmen, Congressmen, and labor leaders sat on the

stage with the Vice President and the cabinet officers while the latter gave "accountings of stewardship" and poured heavy flattery on the boss.

Thus in a period of history when America is striving desperately for moral leadership in a world beset by tyranny the highest officers of American Government lower their conduct to the level of a carnival sideshow. Why didn't they also put on clown suits and belabor one another with sheep bladders to the strains of a hillbilly band? That would really have given the folks out front a laugh.

It was bad enough when Charlie Brannan brazenly hired an audience at \$8 a head in St. Paul. It was worse when Harry Truman embarked at public expense on an extravagantly costly campaign tour which he cynically labeled "nonpolitical." But Sunday's Cabinet meeting on a Chicago stage was a new low. It was an insult to the Republic of the United States.

The Truman administration evidently has a very poor opinion of public intelligence and moral standards. The Fair Dealers seem to think people are so dazzled by the "bread-and-circus" approach to government that they will see nothing wrong with such disgraceful breaches of conduct as the Chicago Cabinet meeting. Is that true? Time will tell.

REORGANIZATION PLAN NO. 8

Mr. JOHNSON of Colorado. Mr. President, I should like to have the attention of the majority leader. I wish to call up Senate Resolution 254, having to do with Reorganization Plan No. 8, tonight. It is Calendar No. 1571. I understand that some debate, perhaps rather extended debate, may take place tonight with respect to that plan. Therefore, I should like to ask that the time be not divided this evening, but that on Monday, after the routine business of the Senate is completed, perhaps about 1 o'clock, the Senate proceed to the consideration of this resolution, that the time be divided equally, and that a vote be taken on it by 2 o'clock, or 1:30. I wanted to ask the majority leader whether that would be agreeable to him.

Mr. LUCAS. Does the Senator believe we could finish it tonight within an hour or two?

Mr. JOHNSON of Colorado. No, I do not think we can. I do not think we can finish it this evening. It will take about 30 minutes on Monday. I know that one Senator, who is opposing the resolution, wishes to speak for 20 minutes on Monday, and I should like to accommodate him. He is supporting the plan but opposing the resolution. I think it would be much better for everyone concerned if such an arrangement can be made.

Mr. LUCAS. I should like to inquire how many more resolutions of disapproval there are, if some Senator can give me that information.

Mr. JOHNSON of Colorado. I have two resolutions of disapproval.

Mr. LUCAS. I understand the Senator from Wisconsin [Mr. WILEY] has one. May I ask the Senator from Arkansas how many more resolutions of disapproval there are which have not been disposed of?

Mr. McCLELLAN. There are five more, as I recall.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.
Mr. WILEY. Mr. President, I was informed this afternoon that the Senator

from Oklahoma [Mr. KERR] wished to have a resolution considered. A few moments ago I was advised that the Senator from Oklahoma had been called from the floor. I should like to give notice that at noon on Monday, after a quorum call has been had, I shall call up Senate Resolution 259, relating to Reorganization Plan No. 5. At this time, Mr. President, I should like to place in the RECORD a copy of Reorganization Plan No. 5, which was submitted by the President, so that those who read the RECORD may see the meat which is involved in the plan. I should like to give notice that I shall call it up, and I should like to ask unanimous consent that I may have the floor at that time, and that each side may have 1 hour in which to discuss the question.

There being no objection, Reorganization Plan No. 5 of 1950 was ordered to be printed in the RECORD, as follows:

REORGANIZATION PLAN NO. 5 OF 1950

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 13, 1950, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949)

DEPARTMENT OF COMMERCE

SECTION 1. Transfer of functions to the Secretary: (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to the Secretary of Commerce all functions of all other officers of the Department of Commerce and all functions of all agencies and employees of such Department.

(b) This section shall not apply to the functions vested by the Administrative Procedure Act (60 Stat. 237) in hearing examiners employed by the Department of Commerce, nor to the functions of the Civil Aeronautics Board, of the Inland Waterways Corporation, or of the Advisory Board of the Inland Waterways Corporation.

SEC. 2. Performance of functions of Secretary: The Secretary of Commerce may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any agency or employee, of the Department of Commerce of any function of the Secretary, including any function transferred to the Secretary by the provisions of this reorganization plan.

SEC. 3. Administrative Assistant Secretary: There shall be in the Department of Commerce an Administrative Assistant Secretary of Commerce, who shall be appointed, with the approval of the President, by the Secretary of Commerce under the classified civil service, who shall perform such duties as the Secretary of Commerce shall prescribe, and who shall receive compensation at the rate of \$14,000 per annum.

SEC. 4. Incidental transfers: The Secretary of Commerce may from time to time effect such transfers within the Department of Commerce of any of the records, property, personnel, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of such Department as he may deem necessary in order to carry out the provisions of this reorganization plan.

Mr. JOHNSON of Colorado. I have already made a request that Senate Resolution 254 be now considered and that consideration of it be concluded on next Monday. I made the request while the Senator from Wisconsin was absent from the floor.

Mr. WILEY. How much time will it take?

Mr. JOHNSON of Colorado. I do not think it will take more than half an hour or 45 minutes on Monday. I do not know how much time it will take this evening. The debate will be open tonight, and the time will not be divided. Some speeches need to be made on it tonight.

Mr. WILEY. Then, if the Senator will yield further, I should like to amend my request. I want to say, parenthetically, that I remember very well the statement of the majority leader that all resolutions affecting reorganization plans would be considered, and, bearing that in mind, I have refrained from injecting myself into whatever business was pending. I think this is a very important matter, and I should like to amend my unanimous-consent request to the extent that when consideration of the pending business is concluded, I may be privileged to call up Senate Resolution 259 and that the time be divided 1 hour on each side.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that that is not in order until the resolution is called up.

Mr. JOHNSON of Colorado. Mr. President, I hope the Senator will not press his unanimous-consent request tonight. I do not think we shall have any difficulty on Monday in finishing up the discussion on his plan and the two plans which I have in mind. The two plans which I hope to bring up are very similar, and we can reduce the debate by handling them together. Senate Resolution 254 will probably take 30 to 45 minutes on Monday, and Senate Resolution 255, I am certain, will not require more than 30 minutes. Then we could proceed to consider the resolution to which the Senator from Wisconsin has referred, and I am as nearly sure as one can be sure of anything in the Senate that we can proceed with his resolution by 2:30 p. m. on Monday.

Mr. WILEY. I thank the Senator, and I am very happy to have that statement. I shall expect cooperation to that end. I know every Senator wants to conclude the business which it has been said will be considered in due season.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LUCAS. There are five resolutions upon which the Senate must act by next Tuesday at midnight. I am certain that during Monday and Tuesday we shall be able to dispose of those resolutions. If there is any determination on the part of Senators to debate any of them at any great length, we shall have to remain late on Monday night. I served notice on the Senate sometime ago that we would probably hold a night session tonight to dispose of some of these matters, but I am satisfied that we can dispose of all five of the resolutions on Monday and Tuesday.

I notice that the Senator from Maryland is on his feet—

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. O'CONOR. I agree entirely with the statement of the Senator from Illinois. There are several Senators who

desire to speak in support of the President's reorganization plans. From all indications, the opposition is not such that it will require any more lengthy discussion than that which has been indicated. I feel certain that we can conclude debate on them on Monday and Tuesday, which, of course, is necessary.

Mr. JOHNSON of Colorado. Mr. President, I hardly know how to proceed. I was about to move that the Senate proceed to the consideration of Senate Resolution 254, disapproving Reorganization Plan No. 8 of 1950, and that the time for the remainder of the day be not divided, but that on next Monday, after 12:30 p. m., the time be equally divided between the proponents and opponents of the resolution, and that the total time be one hour.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. McCLELLAN. Does that apply only to the one reorganization plan?

Mr. JOHNSON of Colorado. Yes.

Mr. McCLELLAN. Thereafter the Senator has in mind bringing up another plan?

Mr. JOHNSON of Colorado. Yes.

Mr. McCLELLAN. How much time will be consumed on the other plan?

Mr. JOHNSON of Colorado. The proponents of the resolution will need very little time.

Mr. McCLELLAN. The Senator is asking merely to take it up, and after 12:30 o'clock on Monday the time of 1 hour be divided equally between the proponents and the opponents?

Mr. JOHNSON of Colorado. Yes.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WILEY. I understand it is proposed to take up plans No. 8 and No. 9 and to conclude their consideration on Monday?

Mr. JOHNSON of Colorado. Plan No. 8 would be the first one to be taken up, to be followed by plan No. 9, and plan No. 5, in which the Senator from Wisconsin is interested.

Mr. McCARRAN. Is it contemplated that a vote be taken at 1:30 on Monday?

Mr. JOHNSON of Colorado. Yes.

Mr. McCARRAN. No vote is to be had today on either plan.

Mr. JOHNSON of Colorado. There is to be no vote on either plan today.

Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 254, a resolution disapproving Reorganization Plan No. 8 of 1950, that the time for the remainder of the day be not divided, that beginning at 12:30 on Monday next the time be equally divided between the proponents and the opponents of the resolution, and that the Senate vote on the resolution at 1:30 o'clock on Monday.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. Would it not be better to have the Senator make a motion to consider the resolution and then ask for a unanimous-consent agreement?

The PRESIDING OFFICER. The motion which has been made by the Sen-

ator from Colorado can be presented as a unanimous-consent request.

Mr. LUCAS. I shall not object to it.

Mr. JOHNSON of Colorado. The reason I wanted to put it in one package is to avoid any necessity for voting tonight, because if we should leave it wide open when debate ceased tonight we would have to start voting on Senate Resolution 254, and I wanted to avoid that. I wanted to make certain that we would vote on Monday. That is why I wanted it in one package.

Mr. LUCAS. Reserving the right to object, I wish to be certain that members of the Committee on Expenditures in the Executive Departments, who are opposed to the resolution, will have sufficient time to debate the subject.

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. O'CONOR. I think I should say in reply to the Senator from Illinois that it would be preferable if a little longer time could be allowed, because the Senator from Connecticut [Mr. BENTON], who has been very active in these matters, desires some time on Monday, and a situation may be brought about which may require more extensive debate.

Mr. JOHNSON of Colorado. I wish to say to the majority leader that apparently signals have been switched on me since I started to make this request. I understood that the Senator from Connecticut [Mr. BENTON] would make his speech tonight. That is why I was making the motion to proceed now, because I understood he wanted to make his speech this evening. Now I understand he wishes to make it on Monday.

Mr. LUCAS. I do not see any reason why we should detain the Senator from Connecticut and permit other Senators to make their addresses on Monday.

Mr. JOHNSON of Colorado. That was his own choice. It was not the choice of the Senator from Colorado. I did not figure that one out. That was at his own request.

Mr. LUCAS. I cannot keep the Senator from Connecticut from speaking if he so desires.

Mr. BENTON and Mr. McCLELLAN addressed the Chair.

Mr. JOHNSON of Colorado. I yield first to the Senator from Connecticut.

Mr. BENTON. I had first intended to speak today, on the assumption that the resolution was to be considered today and voted on today. Later I told the Senator from Colorado that I would speak today, with the understanding that the vote would be taken on Monday. That is as he stated the understanding. However, I am now advised by my senior and adviser, the Senator from Maryland [Mr. O'CONOR], that he believes it would be better if I spoke on Monday. Therefore, in line with that advice, I prefer to wait and speak on Monday.

The Senator from Maryland also wishes to speak. I do not know whether he wants to speak today or on Monday. It has a bearing on the amount of time which would be required, because, as the Senator from Minnesota also desires to speak, it is estimated that we will require about 1 hour between the three of us. Of

course if we spoke today we would take less than an hour on Monday.

Mr. JOHNSON of Colorado. I should like to suggest a change in the time of voting from 1:30 to 2 o'clock, and give the opponents 1 hour. The proponents will not need an hour.

Mr. LUCAS. Could the Senator make it 2:30?

Mr. JOHNSON of Colorado. Very well. We shall start at 12:30, divide the time equally, and set the time for the vote at 2:30.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WILEY. Can the Senator estimate how much time discussion of the resolution to which I have referred will take?

Mr. JOHNSON of Colorado. It is unpredictable. I do not think it will take much time.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Yes.

Mr. WILEY. It seems to me that in the interest of trying to get things done, and in order to avoid any fear that we shall run into a stalemate or some kind of interference, the original proposal of the Senator that we continue tonight and cover some of the ground should be adhered to. In that way we would be able to finish consideration of some of the other plans by this time on Monday. I wish the majority leader would consent to the original proposal. That is the way I feel.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LUCAS. I would not object if the Senator from Connecticut wished to speak now. Perhaps the Senator from Wisconsin desires to speak now on his resolution, and get it out of the way. His address would be in the Record, and Senators could read it on Monday. I am glad to stay here. Everyone seems to be a little tired and is trying to get away for the week end. I assure the Senator that we shall take up his resolution. I say again, Mr. President—and I sincerely hope every Senator will take this to heart—that in view of the circumstances, probably on Monday night, we shall have to hold a night session. Everyone wants to put off a vote because everyone wants to go home. Perhaps Senators are afraid they would not get 49 votes. I do not know what the situation is. I am willing to cooperate and give every other Senator an opportunity to cooperate. However, we cannot take any more chances on Monday. If we are to take two and a half hours on one plan, two and a half hours on another, two and a half hours on the plan of the Senator from Wisconsin, we shall be here a long time.

Mr. WILEY. No.

Mr. LUCAS. It is impossible to tell about those things. Senators have a way of saying much when they do not mean to talk.

The PRESIDING OFFICER. The motion of the Senator from Colorado as a motion is not in order. As a unanimous consent request, the Chair is informed,

it is in order. Does the Senator submit his request in the form of a motion or in the form of a unanimous consent request?

Mr. JOHNSON of Colorado. I submit it in the form of a motion, and change the time for voting on Resolution 254 to 2:30 p. m. It is in the form of a motion. The motion is not debatable. The time is to be equally divided between the proponents and opponents, and we are to start at 12:30 and vote at 2:30.

The PRESIDING OFFICER. If there is objection to the motion, it cannot be entertained.

Mr. McCLELLAN. Do I understand that the time on Monday would be equally divided between the proponents and opponents?

Mr. JOHNSON of Colorado. Yes.

Mr. LUCAS. I ask the Senator to make his motion in the form of a unanimous consent request.

Mr. JOHNSON of Colorado. Very well. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CALIFORNIA ALIEN LAND ACT—DECISION OF CALIFORNIA COURT OF APPEALS

Mr. WILEY. Mr. President, we have been debating FEPC for some time, and I have a suspicion that we will go on debating it for some time longer before we dispose of it and take up some major bill or resolution.

In this connection let me say that there appeared in the May 16 issue of the New York Times one of the most challenging articles I have seen written in many a day. It is by Arthur Krock. He brings to the attention of his readers and the American people the question as to how extensive the United Nations Charter is. He calls attention in the beginning of the article to a decision of the Court of Appeals of California.

Mr. DONNELL. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. DONNELL. I assure the Senator I have no desire to interfere in the slightest with his remarks, but I wondered if he knew that this article by Mr. Krock was placed in the body of the RECORD yesterday by me.

Mr. WILEY. I did not know that. I am very happy to learn it, and I am grateful to the Senator for informing me, because I was going to place it in the RECORD. Did the Senator, at the time he placed it in the RECORD, comment on it?

Mr. DONNELL. I do not recall any comments I made on the article.

Mr. WILEY. I shall proceed for a moment or two, because Mr. Krock raises a very challenging question, as to whether or not the charter of the United Nations is the supreme law of our land. The courts have held in a number of instances that treaties are the supreme law of the land and Mr. Krock brings to the fore the question whether or not the FEPC is necessary.

Down near the bottom of the article he says:

But, observed Messrs. Kelly and Harblson, this "statute and treaty did not impair or

damage the interests of any powerful vested right. The treaty in question did not touch upon the fundamentals of the social order, seriously involve the sanctity of private property, nor even work any very important practical change in the extent of Federal power."

He said at another point in the article:

Until or unless—assuming the FEPC bill and others in the President's civil-rights program are not enacted—

And this is the issue—

a citizen attempts to make a legal test of the contention that some or all of this program went automatically into effect when he ratified the Charter, the ultimate judicial finding must remain a matter of guesswork. But it is difficult to see how the Supreme Court, if it upheld this position, could compel Congress to provide the legislative machinery to give life to it. And it is difficult to envisage the executive department, since this part of the Charter is not self-executing, enforcing such a ruling on its own.

Mr. DONNELL. Again I say, I certainly have no desire to interfere with the Senator's remarks, but I wonder if he would have any objection to have the RECORD show at this point the fact that the California decision of the court of appeals to which Mr. Krock referred, and to which the Senator is speaking by reference to Mr. Krock's article, was called to the attention of the Senate on April 28, 1950, and that a copy of the decision, together with rather extended remarks by the present speaker, was placed in the body of the RECORD on that date.

Mr. WILEY. Again, I am very happy the Senator interrupted me, and I assure the Presiding Officer and others that I shall not carry on any legal discussion. I shall read with profit the comments of the distinguished Senator from Missouri on the decision.

Mr. President, this only brings to the fore the significance of maintaining this Government as a government of checks and balances. I was called out a few moments ago, and met about 50 or 60 high-school boys and girls from the Messmer High School in Milwaukee. When I met them I had to give them a few ideas, and I told them that the task of the future for them was to maintain a government in which there was an independent executive branch, an independent legislative branch, and an independent judicial branch. So I think this article, in addition to provoking thought, also brings to the fore the absolute necessity of maintaining these independent branches of Government, so that they will operate to check one another in order that absolute power will not gravitate into the hands of any one of them.

Mr. CONNALLY. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield to the Senator from Texas.

Mr. CONNALLY. Is the Senator aware of the fact that Dr. Manley O. Hudson, a very distinguished publicist, Bemis professor of international law at Harvard Law School, and also chairman of the International Law Commission of the United Nations, wrote a rather interesting article challenging the conclusion of the court in California?

Mr. DONNELL. Mr. President, will the Senator yield, with the permission of the Senator from Texas?

Mr. WILEY. I yield.

Mr. DONNELL. I should like to state, if the Senator has no objection, in order that we may have both sides of this matter in the RECORD, that I placed in the RECORD a few days ago the New York Times article which told of the filing of motion for rehearing by Attorney General Howser, and the fact that as an appendix to that motion for rehearing there was an article by Prof. Manley O. Hudson, along the line to which the Senator from Texas has referred.

Mr. CONNALLY. Was the opinion of Dr. Hudson included?

Mr. DONNELL. Excerpts from it were included. I do not think a complete copy of Dr. Hudson's opinion was, but the article stated in substance that the Attorney General had filed a motion for rehearing, and that as an appendix to the motion the article by Dr. Hudson had been added, and various excerpts were given in the article.

Mr. CONNALLY. Has the Senator from Missouri a complete copy of Dr. Hudson's opinion?

Mr. DONNELL. I do not have a complete copy, but I should like very much to have it.

Mr. CONNALLY. I do not have a complete copy, but I think it should be published, because otherwise we are getting a one-sided view of this question. I cannot conceive that the United Nations had any conception that any doctrine like this would be invoked, and if we had thought so we would not have ratified the Charter. We never dreamed of such a thing.

Mr. DONNELL. Mr. President, if it would not be assuming too much upon myself, if the Senators personally prefer to have me do so, I shall endeavor to secure a copy of the statement of Dr. Hudson and incorporate it in the RECORD.

Mr. CONNALLY. That is agreeable to me.

Mr. DONNELL. Would the Senator from Wisconsin like it?

Mr. WILEY. Yes, I should be more than gratified, because I agree that in view of the fact that there has been a motion for rehearing, the court of appeals in California will have to decide this very issue, and then it will go to the Supreme Court of the United States, and it is very important that we in the Senate get the opinion of that court and know what we are doing or not doing when we enter into treaties.

Mr. President, this is not only applicable to FEPC, but we are in more or less of a foggy domain at present because of this California decision, and I believe that in view of the world picture, and particularly in view of our responsibility to our respective constituencies, we must know what the answer is to this very issue. Certainly we are not now ready to turn over the Government of the United States to any group. We will have to wait until the nations of the earth have marched a little closer to the millennium before we will be willing to trust all our domestic and even our foreign policies in their hands.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. CONNALLY. The Senator is aware, is he not, that the decision is that of a California State court? It is not a decision of a Federal court or of the United States Supreme Court. So it will have to go through the Supreme Court of California before it can go to a United States court.

Mr. WILEY. Yes.

Mr. FERGUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. WILEY. I yield.

Mr. FERGUSON. I wish to remind the Senator that this matter has been called to the attention of the Senate on several occasions during debate. I hope the Senate as a whole will begin to consider what is being claimed in relation to treaties changing or modifying the fundamental law of the land.

That was brought forcibly before the Committee on the Judiciary when an antilynching bill was introduced. In the preamble to the bill it was asserted that certain things could be done under the bill by virtue of the United Nations Charter. The antilynching bill which came to the floor of the Senate naturally made no reference to the United Nations, because the Committee on the Judiciary was of the opinion that the assertions of the preamble of the bill were not valid.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. DONNELL. The Senate will recall that Senate bill 1728, the FEPC bill, the motion with respect to which is now before the Senate, contains a reference to the United Nations. That appears in the preambulatory portions of the bill.

Mr. FERGUSON. I am familiar with that.

Mr. DONNELL. Mr. President, will the Senator from Wisconsin yield further?

Mr. WILEY. I yield.

Mr. DONNELL. Does the Senator recall that recently on the floor of the Senate, in discussion of the California case to which reference was made, the point was brought up as to the application of the doctrine of that case to the International Trade Organization agreement. I may say incidentally that this becomes of importance because on that day the distinguished senior Senator from Georgia [Mr. GEORGE] expressed the view—which I stated was somewhat tentative, but on rereading his statement appeared to be not merely tentative, but quite clearly his opinion—that the International Trade Organization agreement should be considered as a treaty. Does the Senator also recall that the junior Senator from Colorado [Mr. MILLIKIN] urged very vigorously on the floor that day that the International Trade Organization agreement is a treaty and should be considered as such?

Mr. FERGUSON. Yes.

Mr. DONNELL. And, of course, if the International Trade Organization agree-

ment is a treaty, and if the view of the California court shall prevail, obviously whatever is incorporated in the International Trade Organization agreement will become a part of the supreme law of the land.

I ask, Mr. President, if the Senator from Wisconsin will yield further?

Mr. WILEY. I yield.

Mr. DONNELL. Does the Senator recall also that in the course of the argument on the North Atlantic Treaty some months ago the Senator who is now speaking made the point in substance that contention may be made and may be sustained that the North Atlantic Treaty is the supreme law of the land; going much farther than the United Nations Charter itself along the line of mandatory provisions, and that we may be confronted sooner or later with the very contentions that all these matters, such as education and FEPC and civil rights, antilynching, and so forth, are already settled by reason of the fact that we have become parties to the North Atlantic Treaty and the United Nations Charter? Does the Senator recall that?

Mr. FERGUSON. I recall that. That is the reason I am saying what I am today on the floor of the Senate. I hope the Senate will not simply consider this to be a technicality. It is a very fundamental question.

Mr. DONNELL. It is, indeed.

Mr. FERGUSON. It is a very fundamental question, and that is illustrated by an editorial from which I wish to read as follows:

The immediate consequence is that the Communists now argue that the UN has power to override the courts of the land and to set aside criminal convictions imposed in American jurisdictions.

This position has been taken by Eugene Dennis, former national secretary of the Communist Party, 10 convicted Hollywood writers and directors, and several convicted officials of the Joint Anti-Fascist Refugee Committee, a Communist front. All are under sentence for contempt of Congress in refusing to answer questions or obey committee subpoenas, and Dennis has now been ordered to start serving his term of 1 year.

The Communists are again claiming that there is nothing to it; that it is merely a camouflage and a smoke-screen. But I think we ought to start to consider what the effect of a treaty is upon the law of the land. The matter is a serious one.

Mr. DONNELL. Mr. President, will the Senator from Wisconsin yield further?

Mr. WILEY. I yield.

Mr. DONNELL. I apologize to the Senator from Wisconsin for infringing upon his time, but I want to say that to my mind the Senator from Michigan is perfectly right. There are some of us—or at least one of us here—accused of being overtechnical, and with some reason for the complaint, perhaps. I am referring to myself. But I desire to say that in this matter we are considering the very fundamentals of American law and of international law. We are considering the effect, first, of a treaty, and in the second place, we are considering the effect of the United Nations Charter as a treaty. In the next place ultimately we

will be considering the effect of the North Atlantic Treaty as a treaty, and, as is pointed out by Mr. Krock in the article to which the Senator from Wisconsin referred, and which will be found in full at page 7203 of the CONGRESSIONAL RECORD of May 18, 1950, we are entering upon what Mr. Krock declares to be "one of the foggiest areas of the law."

Mr. President, with the consent of the two Senators, may I read these words from Mr. Krock? Says he, under date of May 15:

The California court of appeal—

Incidentally, Mr. President, the California court of appeals consists of three judges, and the opinion was a unanimous one. It was printed at great length and with large headlines in the local publication similar to our Daily Record in St. Louis, obviously it being considered in California to be a publication of note, and one on which lawyers particularly rely and are interested in its notations with respect to the calendars of the courts, and so forth. Mr. Krock said:

The California Court of Appeals, when it held that the Charter of the United Nations supersedes the California alien land statute because the Charter is a treaty, and a treaty is "the supreme law of the land"—

Mr. Krock is there quoting from the Constitution—

reentered one of the foggiest areas of the law. The court said that, in adopting the Charter as a treaty, the United States committed itself to the doctrine of equal rights for all persons regardless of race, etc.; hence Sei Fugli, a Japanese, may own and occupy the California land he purchased regardless of the fact that under the State law he cannot.

If this ruling reaches and is upheld by the Supreme Court, and the Senate talks down the administration's bill for a Federal Fair Employment Practice Commission, as is expected, many are asking why the substance of the FEPC bill would not automatically become the supreme law of the land also. As George A. Benson, editorials editor of the Toledo Times, pointed out the other day, part A of article 55 and all of article 56 (of the United Nations Charter) set forth the doctrine of equal rights for all persons regardless of race, religion, sex, and color, and the United States has subscribed to this in the form of a treaty—

And so forth. I simply want to emphasize what was said by the Senator from Michigan. I strongly agree with him, and I have no doubt from the fact that the Senator from Wisconsin started this discussion that he also concurs in the view, that this is no mere technical matter, but is one of fundamental law, and one it highly behooves the Senate of the United States, the press of the Nation, the American Bar Association, and all great leaders in legal matters, to give the most earnest and careful and searching attention and study. I am very happy that this afternoon the feeble efforts of the Senator from Missouri of a few days ago have been so adequately and fully supplemented by the remarks of the Senator from Wisconsin and the Senator from Michigan, in emphasizing the fundamental importance—not mere technical quibbling, but fundamental importance—of the problem presented by the California decision.

I thank the Senator.

Mr. WILEY. Mr. President, I am very sorry that I was not present the other day when the distinguished Senator from Missouri spoke.

However, when I read that particular article, I was struck with its implications, not particularly in regard to FEPC, but in regard to what it might mean if there came into the chair of the Chief Executive of our Nation one who had the overall concept that all the nations of the world have the same philosophy, economic, political, social, and religious—whereas we know that they do not have. However, Mr. President, consider the possible consequences if we had such a President who undertook to establish as the supreme law of the land a treaty containing provisions to that effect.

I am very happy to say that when I was chairman of the Judiciary Committee I undertook to have the Supreme Court's decisions relative to the Constitution annotated and brought up to date. That work is being done now. I think it very important that that volume be on the desk of every Senator.

There are various decisions holding that the courts have no authority to annul or disregard the provisions of treaties unless they violate the Constitution.

In that connection let me read from article VI, page 576, of the annotations of cases relative to the Constitution of the United States, decided by the Supreme Court of the United States:

Treaties made by proper authority being law, courts of justice have no right to annul or disregard any of their provisions unless they violate the Constitution. It is their duty to interpret and administer them according to their terms; and in a broad and liberal spirit calculated to make for perpetual amity, so far as it can be done without sacrifice of individual rights or essential principles of personal liberty. Nor can the Court go behind a treaty, duly executed and ratified, for the purpose of annulling its operation.

A treaty binds the Nation in the aggregate and all its subordinate authorities and judges, State as well as Federal.

All of these are Supreme Court decisions, Mr. President.

I read further:

If a treaty is violated by a general statute, it is a matter of international concern, which must be determined by treaty or by such other means as enables one State to enforce upon another the obligations of a treaty. A court has no power to set itself up as the instrumentality for enforcing the provisions of a treaty with a foreign nation which the Government of the United States as a sovereign power chooses to disregard.

There is a decision which means something.

I read further:

Nor can a citizen set up the breach of a treaty to avoid an obligation arising under it. The power to declare it void rests with the Government.

If and when a new treaty is brought before the Senate, I think that matter will call for the earnest consideration and study of every Senator.

We see now, especially in the light of history, why many persons following the First World War, in studying the question of the proposal that we enter the League of Nations, sensed dangers and

attempted to have the United States retain the right to impose limitations or make interpretations in that connection.

I personally feel that in this challenging hour we cannot be too careful in regard to the international instruments which the Senate is called upon to ratify.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. FERGUSON. I should like to make a brief comment, if the Senator will permit.

Since I have been a Member of the Senate, and some time prior thereto, there has appeared to be in the United States a feeling that the Constitution is an antique document and is not to be considered as the real, fundamental law of the land. When the Constitution is referred to on the floor of the Senate or when the Constitution is used in the courts of justice, there often is a feeling—as was expressed back in the thirties—that "You cannot eat the Constitution."

In short, there is often a feeling that no law should be binding upon the people, that the people should be free, and should be permitted by license to do as they wish.

However, I think the time has come when we, as a body, must give due consideration to this great document, the Constitution of the United States. Of course, if it does not suit the times, we should amend it in the regular way, as provided in the Constitution itself, rather than disregard it.

I am reminded today of the fact that recently there appeared before the Appropriation Committee representatives of the Bureau of Standards, who told how they were making research in regard to the best means of preserving the original Constitution of the United States. They told how they were going to make a glass container, holding certain chemicals, and so forth, so that the Constitution, the actual original document, could be preserved for posterity.

I stated on the committee record, as I do now upon the floor of the Senate, that I think there is something else which all of us should preserve in that connection, namely, the ideals and the great principles of government which are set forth in the Constitution, which provides the system of checks and balances of power, divided among the three coordinate branches of Government—the system which makes America the great country it is.

After all, Mr. President, the Constitution provides for an economic and social and political system which has no peer.

As we use the Bureau of Standards to preserve the physical paper on which the Constitution of the United States is written, I say that the great Senate of the United States should be working day and night to preserve the principles of the Constitution and to see that there is maintained in our land, as the Constitution provides, equal justice under law, rather than under men.

Mr. DONNELL. Mr. President, I think this really an historic occasion, this afternoon, when the Senator from

Wisconsin and the Senator from Michigan have so eloquently and powerfully presented the importance of adhering to the provision and principles of the Constitution of the United States.

I am happy this afternoon to see the flame of patriotism again burning brilliantly as the result of remarks and exhortations and pleas such as those to the Members of the Senate.

I know that all Members of the Senate, as well as all Members of the House of Representatives, will agree that they should ever keep in mind the provision of the Constitution that Senators and Representatives shall be bound by oath or affirmation to support the Constitution. I am sure that all of us agree that that provision has a real, important meaning, and that it means that we are bound by oath to support the Constitution in fact, as well as in word.

The distinguished Senator from Michigan has referred to the importance of keeping within constitutional bounds the three coordinate branches or divisions of our Government. What the Senator has said should be kept eternally before our people, so that it will never perish in our land, and so that the significance and importance of the principles he has enunciated will never be lost to posterity.

Mr. President, in his Farewell Address, George Washington said:

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the power of one department to encroach upon another.

The Father of Our Country continued, as follows:

The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.

Listen to this, Mr. President:

To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Mr. President, may I recall these burning words of the first President of our country, the Father of his Country, "First in war, first in peace, and first in the hearts of his countrymen"? The language which he used was as follows:

The basis of our political systems is the right of the people to make and to alter their

constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

This afternoon, and on the other days when we have been considering this California decision, on the days when we have been considering the grave questions which have come before the Senate, adherence to the Constitution is fundamental. Anyone who undertakes to say that they are merely technical questions does not understand the theory of our Government. It is necessary for the preservation of our Nation that the Constitution be adhered to. I think the Senator from Michigan struck a strong note when on the one hand he pointed out the tendency which has been evident doubtless in many quarters to regard it as old-fogey and old-fashioned to place emphasis on the Constitution. It is said we are living in a new day. We are told we are living in a day when we must go ahead and when we must make precedents. We are going forward. We are going rapidly. We are going to project everything, and we are going to do it quickly.

Mr. President, it is decidedly unwise, destructive of liberty, destructive of all our constitutional rights and freedoms, for our Nation to forget the Constitution of the United States.

I am happy this afternoon to hear this emphasis from these two distinguished Senators, the Senator from Wisconsin and the Senator from Michigan, and I hope that every Senator will read their remarks as they have uttered them this afternoon, brilliantly and powerfully emphasizing the absolute importance, the absolutely final importance, if you please, of the preservation of the Constitution.

Mr. President, but one more word and I finish. We are confronted today with all kinds of dangers, as we realize. We are confronted with the danger of communism. We are confronted with economic problems. We are confronted with the most tremendous difficulties which perhaps, this country has ever experienced. Let us throughout the administration of our respective duties keep our eyes centered on the welfare of our Nation and on the fact, Mr. President, that the Constitution of the United States is the real guide of our faith and practice in the preservation of the liberty of our country.

This afternoon I join with the two distinguished Senators in hoping that the flag behind the Presiding Officer, the emblem of the Constitution, may be glorified and honored and may be treasured by the Senate and by every Member of the Congress, and that the people of the United States may experience a revivification of their devotion and adherence to principles of that immortal instrument which constitutes, as it does, the foundation of the law of our Nation.

Mr. DONNELL subsequently said: Mr. President, I ask unanimous consent that immediately following the remarks I made earlier in connection with the

colloquy between the Senator from Wisconsin, the Senator from Texas, the Senator from Michigan, and myself, there shall appear the following information, which I think is important from the standpoint of ready reference.

Beginning at page 5993 of the Record of April 28, 1950, there appears a statement by the present speaker regarding the decision of the Court of Appeals of California regarding the land law of California.

The decision of the court itself begins at page 6000, and is immediately preceded by an article appearing in the official publication in California with respect to the decision.

In the next place, on May 16, at page 7066 of the Record and following, is a brief reference to an article in the New York Times of May 14 with respect to an analysis by Prof. Manley O. Hudson included as an appendix to a petition for rehearing filed by Attorney General Howser in that case. The article appears on pages 7066 and 7067 of the Record of May 16, 1950.

Finally, the article by Mr. Arthur Krock, entitled "The UN Charter and the Discrimination Issue," as it was published in the New York Times of May 16, appears in the Record of May 18, 1950, at page 7203.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

RELIEF OF THOSE SUFFERING FROM RECENT FLOODS IN WINNIPEG AND THE PROVINCE OF MANITOBA

Mr. WHERRY. Mr. President, I ask unanimous consent to call up Senate Concurrent Resolution 89, and ask that it be read.

The PRESIDING OFFICER. The Clerk will read the concurrent resolution.

The legislative clerk read the concurrent resolution (S. Con. Res. 89), as follows:

Resolved, etc., That it is the sense of the Congress of the United States that the President should direct the appropriate agencies of the United States to make available immediately the fullest aid consistent with law to the appropriate agencies of the Dominion of Canada in order that the facilities and resources of the United States may assist the Dominion of Canada in giving aid and relief to those suffering as a result of the recent disastrous floods in the Province of Manitoba, and especially in the city of Winnipeg. The physical, financial, and moral support of the United States should be extended to the Canadian people in their hour of need not alone as an act of mercy but as a natural and fitting expression of the historic friendship and kinship of the peoples of the United States and of Canada.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. HILL. Mr. President, I myself, as a Senator from Alabama, have no objection to the resolution, but, in view of the absence at the present time of the distinguished majority leader, the Senator from Illinois [Mr. LUCAS], and the absence from the Chamber at this particular time of the distinguished Senator from Texas [Mr. CONNALLY], chairman

of the Committee on Foreign Relations, I feel that at the present time at least I am constrained to, and I do, object.

Mr. WHERRY. Mr. President, will the Senator withhold his objection for a moment, in order that I may make a statement?

Mr. HILL. I withhold the objection momentarily.

Mr. WHERRY. I thank the Senator from Alabama.

Mr. President, this resolution, presented by the junior Senator from Nebraska, provides relief for those suffering in the Province of Manitoba, and especially in the neighborhood of Winnipeg. The Red River flows northward from the United States into that area, and, according to latest reports more than 100,000 people have been evacuated, by plane and otherwise. They are now standing by in nearby communities, awaiting relief. I should like to say, if the Senator will permit, that the Red Cross has sent observers into the stricken territory, and they have already advised relatives with respect to the suffering and the destruction, and have offered their services. But, in addition to that, it seems to me that, as a gesture of good will to our neighbor on the north in this hour of disaster we at least might give the physical, financial, and moral support, within the limitations which are provided in the resolution, and that the President should direct the appropriate agencies of the United States to make available immediately the fullest aid consistent with law to the appropriate agencies of the Dominion of Canada, in order to provide for the sufferers, on a temporary basis, until the problems connected with this disaster shall have been solved.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WHERRY. I will yield in a moment. I have but one more thing to say. I brought up this resolution during the emergency period. Twice the majority leader has objected. He assigned no reason except that he was not advised of the resolution before I submitted it. The last time he stated he not only had not been advised, but that the State Department had not consulted him.

Mr. President, as a Member of the Senate, I may say that whether the distinguished majority leader was advised makes no difference as to our rights and prerogatives as Senators who are seeking to help suffering humanity. The resolution was submitted in good faith. I am quite certain that many Members of the Senate would like to see it agreed to, but, in view of the fact that the State Department had not consulted the majority leader, I called the State Department today. Of course, the Secretary of State, as Senators know, is in Europe at the present time, but I contacted the Assistant Secretary of State, Mr. McFall, a very courteous gentleman, and asked him about this resolution. He stated to me over the telephone substantially the following:

The State Department certainly has no objection to your Winnipeg relief resolution and would like to see it adopted as a good-

will gesture to Canada in the hour of disaster which has struck the city of Winnipeg.

I thank Mr. McFall for his recommendation, and I thank the distinguished Senator from Alabama, who has made it plain that so far as he is concerned he is objecting, I understand, in behalf of the majority leader.

Mr. HILL. I am making the objection, Mr. President, in view of the absence from the floor of the distinguished majority leader and the distinguished chairman of the Senate Committee on Foreign Relations.

Mr. FERGUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. FERGUSON. The Senator from Nebraska appreciates, does he not, that if the resolution is not agreed to during the period of crisis, to adopt it later would be merely an idle gesture? That is why it is important that it be considered at this time.

Mr. WHERRY. Mr. President, relative to the observation just made by the distinguished Senator from Michigan, I may say the resolution is important. It should have been acted upon at least two days ago. In order to accomplish the purposes of the concurrent resolution, I may say that to send it to a committee, or to send it here, there, or elsewhere would be of no avail. If it cannot be acted on tonight, it seems to me the purpose of the resolution will have been defeated.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield.

Mr. KNOWLAND. It also would be possible, would it not, if the resolution were allowed to be considered and were agreed to, for notice of reconsideration to be given?

Mr. WHERRY. Certainly.

Mr. KNOWLAND. So that, in the event there were any fundamental objection by the majority leader or by the chairman of the Foreign Relations Committee, the resolution could be kept within the control of the Senate when the Senate meets on Monday, could it not?

Mr. WHERRY. That is correct. I thank the Senator.

Mr. HILL. Mr. President, in view of the fact that the distinguished majority leader has previously objected to the consideration of the resolution, in view of the fact that he is not on the floor at this time, and in view of the fact that the distinguished chairman of the Foreign Relations Committee is not present, I am constrained to object, and I do object.

INVESTIGATION OF LAWS AND PROCEDURES WITH RESPECT TO INVESTIGATION AND PUNISHMENT OF SEXUAL PERVERSION PRACTICES IN THE DISTRICT OF COLUMBIA

Mr. HILL. Mr. President, at a meeting this afternoon of a subcommittee of the District of Columbia Appropriations Committee a motion was unanimously agreed to by that subcommittee, the motion being offered by the Senator from

Wyoming [Mr. O'MAHONEY], which is as follows:

Whereas the evidence before this committee submitted by the chairman, Senator HILL, and by the Senator from Nebraska, Mr. WHERRY, in their respective reports, both written and oral, clearly indicates that existing laws and procedures with respect to the investigation and punishment of sexual perversion practices in the District of Columbia, and with respect to the employment of homosexual and other moral perverts in government are inadequate: Therefore be it

Resolved by this subcommittee, That it unanimously agrees to introduce in the Senate of the United States the following resolution.

Mr. President, out of order, I submit the resolution unanimously agreed to by the members of the subcommittee and ask that at this point in the RECORD the resolution be printed in full.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The resolution (S. Res. 280) submitted by Mr. HILL (for himself, Mr. WHERRY, Mr. O'MAHONEY, Mr. FERGUSON, Mr. MAYBANK, Mr. McCLELLAN, Mr. YOUNG, Mr. HUNT, Mr. HENDRICKSON, and Mr. FREAR) is as follows:

Resolved, That the Committee on _____, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of (a) the alleged employment by the departments and agencies of the Government of homosexuals and other moral perverts, and (b) the preparedness of authorities of the District of Columbia, as well as the appropriate authorities of the Federal Government within the District of Columbia for the protection of life and property against the threat to security, inherent in the employment of such perverts by such departments and agencies. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with such recommendations for legislation as it may deem desirable.

For the purposes of this resolution, the committee or any duly authorized subcommittee thereof is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed \$_____, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. HILL. I wish also to advise the Senate that copies of the reports referred to in the motion are available in the Committee Room of the Senate Committee on Appropriations.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. FERGUSON. Have the reports been made public?

Mr. HILL. They have, and they have been released to the press.

Mr. FERGUSON. Mr. President, I join in the resolution, because I believe the evidence was so shocking that action should be taken immediately. The persons described in the resolution should not be employed by the United States Government. There can be no question that there are security risks involved, and that immediate steps should be

taken that such persons shall not be employed by the Government.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHERRY. As a member of the subcommittee to which the Senator has referred, I deeply appreciate the fact that the reports have been made public. I think every Senator should read them and study them, and it is my sincere hope that the committee to which the resolution will be referred will act promptly to carry out the recommendations found in the report.

I join with the distinguished Senator from Michigan in the observations he has made, and I am quite satisfied that I express the opinion of the members of the committee who unanimously supported the motion immediately to submit in the Senate the resolution calling for a complete investigation not only of the laws and procedures, but also of Government employees who are alleged homosexuals or other moral perverts. I hope that the members of the committee will not only read the report, but will subpoena those who testified when the evidence was adduced, and will immediately consider the allegations made in the reports and the resolution.

Mr. HILL. Mr. President, the action of the committee was unanimous in ordering release of the reports referred to, and, as I have already stated, it was unanimous requesting that the resolution be offered in the Senate.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. HILL. I yield to my distinguished friend from New Jersey.

Mr. HENDRICKSON. Mr. President, I desire to associate myself with the remarks of the minority leader and of the distinguished Senator from Alabama.

Mr. HILL. Mr. President, I ask that the resolution be appropriately referred.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The Chair thinks there will have to be a conference concerning the reference of the resolution. There seems to be an element in the resolution which would call for its reference to the Committee on Post Office and Civil Service, and another which might require it to be referred to the Judiciary Committee. The Chair thinks it would be better to make the reference after a consultation.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHERRY. It was my thought that inasmuch as the Judiciary Committee had handled the matter of subversives, and so forth, possibly the subject matter would be such as would require the resolution to be referred to the Judiciary Committee. I make that simply as an observation before the resolution is referred.

The PRESIDING OFFICER. The Chair will say that in view of the jurisdiction of the Committee on Expenditures in the Executive Departments the resolution might be subject to consideration by that committee. So there are three committees to any one of which the resolution might be referred.

The PRESIDING OFFICER subsequently said: The Chair would like to advise that the resolution presented by the Senator from Alabama will lie on the table pending the decision of the Vice President.

FRENCH-GERMAN PARTNERSHIP AND AN INTERNATIONAL SUPERSTATE

Mr. JENNER. Mr. President, it is always a cause for encouragement when a bold, imaginative statesmanlike suggestion arises out of the welter of existing international confusion.

I refer to the completely unanticipated proposal by the French foreign minister, Robert Schuman, of a French-German partnership to solve not only the German problem, but the problem of Europe as a whole.

I want to quote from this proposal to show how far-reaching its objectives really are:

The uniting of European nations requires that the age-old opposition between France and Germany be culminated.

The French Government proposes that the entire French-German production of coal and steel be placed under a joint high authority, within an organization open to the participation of other European nations.

Community of production * * * will * * * show that war between France and Germany becomes not only unthinkable but, in actual fact, impossible. * * *

This proposal will create the first concrete foundation for a European federation.

Mr. President, I bring this matter to the attention of my colleagues because I believe it contains the first really constructive idea that has emerged on the diplomatic scene since the end of the war, for a peaceful settlement of the European problem, and the first honest attempt on the part of European nations to get together in their determination to stop the spread of communism.

I feel it would be a tragedy if the United States Government and the United States Senate should now fail to take advantage of this proposal and should fail to lend it every encouragement and support.

Although this proposal passed the French cabinet by only one vote, it represents a historic step toward genuine reconciliation of age-long Franco-German rivalry.

In addition, Mr. President, Winston Churchill has now urged the British Government to endorse this plan, and western Germany's cabinet has approved this plan in principle, and at this very moment the French premier, Paul Reynaud, is in Bonn preparing to open preliminary discussion on the question of how to put this plan into operation.

Mr. President, I believe the Senate Foreign Relations Committee at its earliest convenience should take this proposal under advisement, and, in the spirit in which it has been made, lend the basic principles underlying this proposal its wholehearted support.

I believe this matter to be so urgent because this French proposal lays the foundation for genuine self-help in reviving Europe's war-shattered economic and financial structure. It is a keystone on which genuine self-help can become

the moving force behind genuine European movement, which will restore diplomacy to a level of voluntary cooperation and mutual consent.

Such a development, Mr. President, would be entirely in keeping with the traditional objectives of American foreign policy. It would restore the foundation of a system of sovereign and independent states who are free to cooperate and who are free to work out their own destiny by solving their mutual problems for the attainment of mutual goals.

Such a development would make it possible once more for America to cooperate with free and sovereign peoples, or with federations of peoples that have been voluntarily entered into. This is the direction in which I believe our foreign policy must move if we are to stop the spread of communism and preserve our form of government and our way of life.

Mr. President, there is another development, however, which is in the opposite direction and which gives added urgency to the need for implementing this French proposal for a genuine peace with Germany. I speak of the report from London, of May 16, 1950, concerning the steps which the foreign ministers of the 12 North Atlantic Treaty powers are now in the process of taking. According to yesterday's Washington Post, they are expected to set up a new committee to coordinate their defense and economic problems.

A short time ago discussion occurred as to where we were heading and what we were doing to the Constitution of the United States. When we were debating the North Atlantic Pact, the distinguished Senator from Missouri called the attention of this body very forcibly to the possible implications which he thought might come about as a result of that treaty. Mr. President, one need only refer to article 2 and article 3 of the North Atlantic Pact to see exactly what is happening in London. In part, article 2 provides:

They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

Article 3 says:

In order more effectively to achieve the objectives of this treaty, the parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

I continue to read from this dispatch:

The proposed committee is expected to bear the main responsibility for reconciling the demands of the military leaders with the civilian requirements of the 12 nations' political and financial leaders.

This means the committee's influence may be greater than that of almost any other international body. It would be authorized, subject to the views of member governments, to deal with issues that strike at the basis of national sovereignty. It presumably would assess and allocate defense and economic requirements as a unit, not on the basis of the needs of each country.

Mr. President, such a communiqué is frightening, if it means what it says, and if it accurately describes the steps which now are being taken, by Mr. Acheson.

Yet such seems to be the case, Mr. President, for in today's Washington Times-Herald, a United Press dispatch reveals that the Atlantic Pact foreign ministers have approved just such a proposal. This dispatch goes on to state:

The plan would require history's greatest peacetime surrender of national sovereignty.

We are not supposed to be surrendering our national sovereignty when we entered the United Nations. As a matter of fact, the United States was the country which insisted upon the veto in order to protect our national sovereignty. Yet here we find an agreement entered into by Dean Acheson, our Secretary of State, which would require history's greatest peacetime surrender of national sovereignty.

Yesterday's Washington Post comments on this unprecedented development by saying:

Probably the most significant aspect of today's decision involves the willingness of the North Atlantic powers to sacrifice major features of their sovereignty in the organization of common defense and economic policies.

What is to come out of this semi-superstate? They will say what they want. They would take from us what they ask. Whatever is left for us would be rationed among our people, because we would give up our national sovereignty. We would have nothing to say about it.

The New York Times in its editorial today states that the plan "demands not only a considerable sacrifice of national sovereignty"—the New York Times recognizes that we are giving up our national sovereignty—

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. JENNER. I yield.

Mr. DONNELL. Did the Senator observe, a week or two weeks ago, a speech by the President of the United States in which he referred to the fact that we are giving up some of our sovereignty?

Mr. JENNER. I do not believe I did.

Mr. DONNELL. I hesitate to quote it verbatim. I could not do so. However, I have a very clear recollection of seeing a statement by the President himself, or at least a statement in the press to the effect that he did make the statement, that we are giving up some of our sovereignty.

Mr. JENNER. Mr. President, I believe it is a deliberate attempt and I think every step our Government is taking is a deliberate attempt to do the very thing that they are now about to accomplish, which is to create a world semi-superstate, destroy the national sovereignty of our country, and let our interests, both economic and defense, be tied to the interest of the rest of the world.

Mr. President, I quote further from the New York Times editorial:

What is needed above all is a new faith transcending national loyalty, and a dedication to the larger cause of freedom, to provide an international army with the morale that alone can make it a real fighting force.

Mr. President, if this is the direction in which we have been maneuvered during the last few days in the London Foreign Ministers North Atlantic Conference by

our own State Department, it amounts to traffic in treason.

For this new grand scheme, against which I warned the American people during my last speech on the Marshall plan, amounts to a deliberate attempt to force America into an international semi-superstate, without either the advice or consent or knowledge of the United States Senate, the Congress, or the American people.

For this new council is in the process of completely repudiating all of the solemn assurances which have been given us concerning where our international program is leading. We were told the Marshall plan would provide for the economic needs of Europe and the North Atlantic Pact would provide for its military defense. Now we are being told only a super, super international organization, with international controls, and international allocation of raw materials, manpower, markets, and war matériel, with our own sovereignty thrown out the window, can meet the needs which now have arisen out of the cold war.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. JENNER. I yield to the Senator from Missouri.

Mr. DONNELL. The Senator referred to the debate on the North Atlantic Treaty, in which the Senator himself participated most vigorously and powerfully. I ask the Senator whether he recalls that in the course of that debate reference was made to testimony by Judge Patterson, by Hon. William Clayton, and by former Justice Owen J. Roberts, in advocacy of a world federation.

Mr. JENNER. I recall that, in substance. World federation is where we are headed, and if this proposal goes through, that is where we will be. Indeed, we are already there, and neither the Senator from Missouri nor any other Member of Congress, nor the American people, will have anything to say about it, or even any knowledge of it.

We are in an international superstate, not for our defense, but our economic interest is tied into it. I say again, the other nations will tell us what they want, and we will ration what is left for our own people in this Nation.

Mr. President, if the reports of the steps now being taken in London, by our Secretary of State and his bipartisan advisers, are true, these men are deliberately forcing America into a permanent partnership, with the Atlantic Pact nations, and sentencing our economic, our financial, our military, and our political future to a life sentence in an Atlantic community concentration camp.

I know of no more pressing problem that now needs to be fully explored, discussed, and exposed than these steps which are taking us, day by day, ever deeper down the road into an international semi-super-state.

Mr. President, is it not the duty now of the Foreign Relations Committee of the Senate to explore this matter fully, and report its findings and recommendations to the United States Senate and the American people, before this internationalist bobby-trap door is slammed shut behind us once and for all?

Mr. President, I know there is probably no use in my raising my voice, because if the responsible officials take the Congress into consideration, they will come to us with the same old-time worn phrase, "After all, you made a moral commitment. You do not dare let Dean Acheson and these planners down now. You have to march along. You have to goose-step. We cannot break our word. We cannot break our faith. You have to give up your liberties and economic freedom, and fight a cold war."

How many times have we heard that? Here it is again, a step in the final direction of an international super state, that ties America's interests in with these other nations, not only in defense, but ties our economic interests in with them. I think it is deplorable, I think it should be explored, I think the hour is late, indeed, I think it is too late, but something should be done in the interest of this Nation, our form of government, and our people.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports were submitted:

By Mr. THOMAS of Utah, from the Committee on Foreign Relations:

Executive G, Eighty-first Congress, second session, a protocol prolonging for 1 year after August 31, 1949, the International Agreement Regarding the Regulation of Production and Marketing of Sugar, signed at London on May 6, 1937; favorably (Ex. Rept. No. 1);

Executive H, Eighty-first Congress, first session, a protocol bringing under international control drugs outside the scope of the convention of 1931, which limits the manufacture and regulates the distribution of narcotic drugs; favorably (Ex. Rept. No. 2);

Executive C, Eighty-first Congress, second session, a protocol amending the 1904 Agreement for the Suppression of the Circulation of Obscene Publications, signed for the United States on May 4, 1949, and transmitted to the Senate on January 9, 1950; favorably (Ex. Rept. No. 3); and

Executive B, Eighty-first Congress, second session, a protocol amending the 1904 agreement for the Suppression of the White Slave Traffic, signed for the United States on May 4, 1949, and transmitted to the Senate on January 9, 1950; favorably (Ex. Rept. No. 4).

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF THE ARMY

The legislative clerk read the nomination of Earl Dallam Johnson to be Assistant Secretary of the Army.

Mr. DONNELL. Mr. President, may I inquire of the distinguished acting majority leader whether it is his intention to move, with respect to any of the nominations on today's Executive Calendar, that the President be notified of the confirmations?

Mr. HILL. It is not my intention. I will not make that request, and will not so move.

Mr. DONNELL. It had been my intention, should the acting majority leader have asked for notification of the President, to reiterate briefly the reasons set forth on pages 7114 and 7115 of the RECORD of May 16, 1950, in opposition to and in objection to such a request or suggestion of notification of the President.

In the second place, it was my intention to add to the reasons assigned on pages 7114 and 7115 this language from the Supreme Court of the United States in the case of *United States v. Smith* (286 U. S., loc. cit. 34):

But paragraph 4 of the same rule contemplates that normally such notification shall be withheld, until the expiration of the time limited for making a motion to reconsider, and if a motion be made, until the disposition thereof; for it declares that notification shall be so withheld "unless otherwise ordered by the Senate."

Mr. President, I do not object to the confirmation of the nomination of Earl Dallam Johnson.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMMODITY CREDIT CORPORATION

The legislative clerk read the nomination of Harold K. Hill to be a member of the Board of Directors of the Commodity Credit Corporation.

Mr. DONNELL. Mr. President, may I inquire of the Senator from Alabama if it meets his approval that that nomination be passed over this evening?

Mr. HILL. I would not say that it would meet my approval, but I would say that the Senator would be well within his rights and would be following many precedents if he did ask that it go over.

Mr. DONNELL. I do so ask, and the request is made in order to protect the possible desire of a Senator on this side of the aisle to be heard with respect to the nomination.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. HILL. Mr. President, I ask that the nominations in the Marine Corps be considered and confirmed en bloc. They are all routine nominations.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That concludes the nominations on the Executive Calendar.

RECESS TO MONDAY

Mr. HILL. I move that the Senate, as in legislative session, stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, May 22, 1950, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 19 (legislative day of March 29), 1950:

COLLECTOR OF CUSTOMS

V. Allan Hubbard, of Chaffee, Mo., to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo., to fill an existing vacancy.

IN THE ARMY

Lt. Gen. James Alward Van Fleet, O3847 (major general, U. S. Army), for appointment as commanding general, Second Army, with the rank of lieutenant general, under the provisions of section 504 of the Officer Personnel Act of 1947.

IN THE NAVY

The following-named officers of the Navy for temporary appointment to the grade of rear admiral:

Frederic S. Withington
William V. O'Regan

CONFIRMATIONS

Executive nominations confirmed by the Senate May 19 (legislative day of March 29), 1950:

DEPARTMENT OF THE ARMY

Earl Dallam Johnson to be Assistant Secretary of the Army.

IN THE MARINE CORPS

PERMANENT APPOINTMENT TO THE GRADE OF MAJOR GENERAL

Oliver P. Smith

TEMPORARY APPOINTMENTS TO THE GRADE OF MAJOR GENERAL, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

William E. Riley
Robert H. Pepper

PERMANENT APPOINTMENTS TO THE GRADE OF BRIGADIER GENERAL

Harry B. Liversedge
Walter W. Wensinger

TEMPORARY APPOINTMENT TO THE GRADE OF BRIGADIER GENERAL, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

James H. Strother George F. Good, Jr.
Raymond P. Coffman Merrill B. Twining
James A. Stuart

PERMANENT APPOINTMENTS TO THE GRADE OF COLONEL

Eustace R. Smoak James M. Masters, Sr.
Sidney S. Wade William A. Kengla
Guy M. Morrow Wilbur J. McNenny
Paul E. Wallace Robert O. Bowen
James F. Climble

PERMANENT APPOINTMENTS TO THE GRADE OF LIEUTENANT COLONEL, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

Marlin C. Martin, Jr.
Pauline E. Perate

PERMANENT APPOINTMENTS TO THE GRADE OF MAJOR, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

Albert Hartman George M. Faser
Robert B. Carney, Jr. William M. Johnston, Jr.
Frank Johnson

Merwin H. Silverthorn, Fred J. Gilhuly, Jr.

William L. Dick Frank H. Brinkman
Joseph E. Fogg Henry P. Huff
Fred F. Harbin John E. Worlund
Victor F. Wojcik John N. Swartley
John V. Downs Marshall C. Gregory
Edward L. Roberts Herbert E. L. Zastrow
Walter Gall Thomas L. Randall
George H. Linnemeier Joseph S. Gardner
John M. Walker, Jr. Robert G. McMaster
John G. McAllister Herman Poggemeyer, Jr.

Thomas D. Stockwell, Allen C. Hendley, Jr.
Robert H. Twisdale
Henry M. Bourgeois Robert B. Laing

John W. Bowman Stanley S. Hughes
Richard L. Sullivan Robert E. Kelly
George W. McHenry, William Pelon
Jr. William N. Case
Angus J. Cronin Charles W. Korf
William C. Chip John E. Hays
Joseph F. Donahoe, Jr. Archie D. Simpson
Morris R. Snead Donald D. Kennedy
Ralph H. Spanjer John H. Carroll
Harold A. Langstaff, Jr. Frank Mick
Arthur R. Boag John Lowman, Jr.
Ernest P. Freeman, Jr.

PERMANENT APPOINTMENTS TO THE GRADE OF MAJOR FOR LIMITED DUTY, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

Ralph H. Hobbs Samuel L. Stocum
Caryll A. Price Joseph C. Schwalke
William F. Watson Beldon Lidyard
George T. Perschau John F. Ricard
Robert L. Dickey Michael J. Sisul
Robert E. Wall Albert H. Keith
James P. Evans Irvin H. Elrod
Michael J. Hogan Walter H. Eastham
John P. Grando Raymond F. Gotko
Arthur J. Noonan Robert G. Straine

TEMPORARY APPOINTMENTS TO THE GRADE OF MAJOR, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW

Clarence B. Kyle James B. Shimel
Milton D. Hill Stuart F. B. Wood
John M. Kuslak Robert L. Williams
Harry J. T. Ellzey Vernet R. Fitzgerald
John K. Hogan Walter Sandusky
George E. Wasson Donald W. Swanson
Percy F. Avant, Jr. Clifford A. Fairbairn
David R. Moak Earl W. Dunsmoor
Alfred G. Carlson Joseph H. Madey
Thomas A. Durham, Alan M. Stewart
Jr. Clarence S. Wick
Jefferson D. Smith, Jr. Charles W. Byers
John I. Loy William Oberhoff
Frank C. Caldwell Gordon L. Rea
John A. Conway Lester D. Cox
David W. Thomson Henry L. Knopes
Harry V. Leasure Nicholas P. Lengyel
David W. McFarland John R. Gray
John J. Jarvis, Jr. Dewey D. Raynor
Robert B. Prescott Felix T. P. Michaelis
John T. Quinn Kenneth L. Shaw
Maynard W. Schmidt Wilson D. Haigler
Carl E. Walker Laurence A. Duensing
John L. Tobin John C. McClelland, Jr.
Michael Mosteller
Charles C. Henderson Jesse L. Massey
Frank E. Sullivan William O. Adams
Robert E. Baldwin Willard T. Henry
Paul C. Trammell Frederick E. Sparling
Horace W. Card, Jr. Frederick Bove
Charles S. Rumbold Paul H. Mikkelsen
Howard I. Dunlap Jos B. Wrenn
Theodore Edwards Ralph Barefoot
William E. Mitchell Oscar W. Cargile
James D. Connolly Bert A. Green
Leon E. Matthews John Smolinski
Wayman H. Imus Bernard E. Kilday
Clifton L. See Lawrence R. Darner
Robert P. Warner James C. Wilson
Roy L. Green

PERMANENT APPOINTMENTS TO THE GRADE OF MAJOR, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

Margaret M. Henderson
Elsie E. Hill

PERMANENT APPOINTMENTS TO THE GRADE OF CAPTAIN

Edward H. Rice Richard E. Moody
Charles W. Weitzel, Jr. Boyce L. Lassiter
Daniel R. Kingsley George L. Wineriter
Albert H. Risner William M. Sigler, Jr.

PERMANENT APPOINTMENTS TO THE GRADE OF CAPTAIN FOR LIMITED DUTY, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

Walter P. Landis Conrad J. Morgan
John H. Tomlinson Dudley J. Hagen
Howard E. Morris David R. McGrew, Jr.
Lornie Leslie Charles M. Whitley
St. Clair Tant Russell Tarver
Bill E. Grimes

TEMPORARY APPOINTMENTS TO THE GRADE OF CAPTAIN, SUBJECT TO QUALIFICATION THEREFOR AS PROVIDED BY LAW

Merle G. Richard
 Ralph G. Kregoski
 William H. Beckett
 Mercer R. Smith
 Donald J. Hallameyer
 John S. Perrin
 Philip J. Keleher
 Gerald D. Allen
 Gene M. Badgley
 Richard S. Togerson
 George E. Petro
 Samuel F. Martin
 John E. Purvis
 Ralph M. Head
 Gilbert A. Barrett
 Darwin B. Pond, Jr.
 Edwin T. Carlton
 Paul N. Taylor
 Samuel E. Helm, Jr.
 Marvin L. Berg
 Joseph T. Murphy
 Harvy C. Hinkel
 Emidio Briganti
 John McCabe
 Walter J. Klimek
 Charles R. Leutz, Jr.
 Allen R. Semb
 John F. Sutkus
 Wayne E. Wolcott
 Kenneth T. Dykes
 "W" "C" Hall
 Roy J. Leite, Jr.
 Samuel G. Beal
 John S. Bostwick
 Edgar P. Holt
 Edward M. Fleming
 Alfred F. McCaleb, Jr.
 Walter C. Stewart, Jr.
 Walter D. Phillips, Jr.
 Ernest W. Payne
 Robert W. Allen
 Bennett W. Alford
 Paul A. Schmuck, Jr.
 John H. Thomas
 Goodwin C. Groff
 James W. Bateman
 William R. Gould
 Norman C. Wiley
 Arthur O. Schmagel
 Leroy A. Seipp
 John W. Sullivan
 Richard A. Winters, Jr.
 Charles H. Coppedge
 Samuel "J" Griffin
 Robert F. Marr
 Edward D. Smith
 Harrel K. Jobe
 Robert W. Shirley
 Edwin Pendrey
 George S. Mansfield
 William J. Halligan
 Richard A. Ward
 Charles A. Salser
 Albert Fowler
 Stone W. Quillian
 Charles F. Disney
 Harold W. Hawkins
 Grady W. Ray
 Nicholas J. Dennis
 Donald E. Francke
 Charles H. Gould
 Lynn F. Williams
 Howard Ferguson, Jr.
 Harry B. Hanson
 Kenneth E. Huntington
 Frank K. Reilly, Jr.
 Roland S. Helstrom
 George H. Albers
 Norman R. Reichwald
 Jesse R. Crone
 William A. Danckaert
 Elmer Amundson
 John W. Johnson
 Donald Conroy
 Bertram "E" Cook, Jr.
 Jerry B. Smith

Richard C. Andrews
 Bill E. Horner
 George A. Phillips
 Arthur W. Ecklund
 William E. Register
 Lee R. Miller
 Edward H. Walker
 Paul W. Seabaugh
 George H. Cearley, Jr.
 Owen G. Jackson, Jr.
 Elmer J. Zorn
 James D. Johnson, Jr.
 John N. Snapper
 Wilbur O. Nelson
 Philip A. Davis
 Daniel G. Murray
 George W. Parker
 Charles T. Caldwell
 William P. Brown, Jr.
 Frank J. O'Hara, Jr.
 Dale L. Ward
 Russell A. Andres
 John DeCloud
 Arthur W. Newendorp
 Byron C. Allison
 John M. Jagoda
 Thomas A. Gribbin II
 Albert A. Grasselli
 George J. Collins
 George E. Moutzakis
 Charles W. Egan
 Charles E. Boswell, Jr.
 Ralph P. Ward, Jr.
 Robert L. Smith
 Leland C. Ritter
 Merlin L. Dake
 Charles R. Howe
 Eugene W. Meyer
 John J. Fischer
 Jack A. Miller
 Kenneth G. Fiegner
 Donald A. Panska
 Charles C. Angle
 Guy M. Washburn
 Lenhew E. Lovette
 Richard J. Sullivan
 Robert F. Warren
 Roderick J. Munro
 Henry G. Holmes, Jr.
 Ruel H. Corley, Jr.
 Harry F. Painter
 John M. McLaurin, Jr.
 Urban A. Lees
 William Bradford
 Clarence H. Schmid
 Bernard J. Stender
 Charles D. Dawkins, Jr.
 Thomas E. Cooney
 Lewis E. Bolts
 Donald F. Mileson
 Oliver J. Koester
 Ward L. Hooper
 Robert B. Robinson
 Lawrence R. Denham
 Alexander Wilson
 Robert D. Green
 Dwain L. Redalen
 Jefferson A. Davis, Jr.
 Robert J. Wright
 Harold G. McRay
 Kenneth L. Anstock
 Russell G. Patterson, Jr.
 Richard B. Newport
 Cornelius T. Montgomery, Jr.
 Harvey E. Wendt
 Harry O. Taylor
 Robert J. Graham
 Varge G. Frisbie
 John P. McMahon, Jr.
 Jack H. Hagler
 James W. Ferris
 Robert King, Jr.
 Roland B. Hellman
 Henry J. Jadrich
 William L. Atwater, Jr.
 Walter E. Daniel

Daniel P. Githens, Jr.
 Forrest "I" Townsend
 William H. Bortz, Jr.
 Harry G. C. Henneberger
 William Whitehill
 Earl A. Trager, Jr.
 William P. Brown
 Robert "J" Zitznik
 Arnold W. Barden
 William H. Roley
 Don G. Derryberry
 Crawford B. Malone
 John J. Hill III
 George Mottl
 Joseph B. DeHaven
 Dan C. Holland
 Sylvester F. Leis
 James E. Meehan
 William R. Lucas
 Robert E. McCarville
 Walter N. Roark, Jr.

John O. Kaylor
 Richard H. Peacock
 Thomas E. Mulvihill
 Otis R. Waldrop
 Clark Ashton
 Thomas H. Hughes
 Casimir C. Kyscewski
 William J. Peter, Jr.
 Donald S. McClellan
 Joseph F. Kirby, Jr.
 Elmer F. Koehler
 John L. Greene
 Dail D. Fine
 Kenneth L. Fellows
 Judson J. Bradway
 Dennis E. Byrd
 Raymond H. W. Pett
 "J", "E" Wellman
 Herbert N. Rapson
 Joseph Northrup
 William J. Kopas

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 19, 1950

The House met at 12 o'clock noon.
 The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, our Heavenly Father, who art of all friends the nearest, of all counselors the wisest, of all helpers the ablest and most willing, we rejoice that in Thee our loftiest aspirations and deepest longings find their answer.

Grant that in this moment of sacred communion we may receive a clearer revelation and a richer experience of the eternal truth of God which will set our minds and hearts free from the errors that blind, the doubts that darken, and the fears that weaken us.

We pray that we may yield ourselves to the sovereignty of Thy wise and holy will, not in dumb resignation and sullen submission, but in glad and grateful obedience to the larger life of love and service to which Thou hast called us.

In Christ's name we bring our petition. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 794. An act for the relief of certain contractors employed in connection with the construction of the United States Appraisers Building, San Francisco, Calif.; and

S. 2811. An act to amend section 1462 of title 18 of the United States Code, with respect to the importation or transportation of obscene matters.

NAZI REBIRTH IN GERMANY MUST BE STOPPED NOW

Mr. DOLLINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOLLINGER. Mr. Speaker, I wonder what ran through our minds the other day when we read the press re-

ports which indicated that 75 percent of the 11,000 officials in Wuertemberg-Baden once belonged to the Nazi Party. Did they bring to your mind, as they did to mine, the thought that in a few years nazism might again be on the march; that the mammoth ovens would again be sending forth the stench of burning humans, and that concentration camps would again provide living deaths for millions? Where is this promise of democracy that we made? What have we done toward the denazification, demilitarization, and decartelization of Germany?

On January 4, 1950, I introduced House Resolution 413, providing for a full and complete investigation and study of the American military government in Germany and the civilian administration which succeeded it, with particular reference to the extent to which they have permitted or encouraged the reestablishment of cartels, the resumption of power by former Nazis, the resurgence of fascism and antisemitism, and the rebuilding of German military strength. Other Members have since done likewise.

I care not whose resolution is considered, nor am I concerned as to who gets the credit, just so long as the House takes immediate and affirmative action.

In the light of these newspaper and radio stories, which are admitted by our own officials, that nazism is on the march once again in Germany, let us take action now. Not to do so is to betray the many millions who suffered and died in the name of democracy—and those who now believe in the democratic ideal. Let us act before it is too late.

SPECIAL ORDER GRANTED

Mr. CRAWFORD asked and was given permission to address the House for 20 minutes on Monday next following the legislative business of the day and any special orders, heretofore entered.

LEGAL GUARDIAN OF LENA MAE WEST, A MINOR

Mr. LANE submitted a conference report and statement on the bill (H. R. 1285) for the relief of the legal guardian of Lena Mae West, a minor.

BIRMINGHAM VETERANS' HOSPITAL, VAN NUYS, CALIF.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the following telegram has come to me from California:

VAN NUYS, CALIF., May 18, 1950.
 Representative EDITH NOURSE ROGERS,
 House Office Building, Washington, D. C.:

Thank you for your support protesting Birmingham Hospital to Long Beach. Paraplegics Grissom and Holmann, also Rose, tubercular veteran, will arrive Washington, TWA flight 220 tomorrow, Friday, 1:45 p. m., to personally appeal to the President. I will join them Saturday. We will stay at Mayflower Hotel. Any assistance you can give

us, particularly with respect securing appointment with the President, will be much appreciated.

STUART BANKHARDT,
Chairman, Citizens Birmingham Hos-
pital Committee.

Mr. Speaker, as the telegram states, three badly disabled veterans are flying in from Van Nuys, Calif., desiring to see the President in an effort to keep the Birmingham Hospital at Van Nuys, Calif., open. I have asked him to see them. I believe he must see them.

The hospital is in the district of the gentleman from California [Mr. HINSHAW], but I have visited the hospital and know many of the patients and the whole situation.

On Tuesday I addressed the following telegram to the President:

WASHINGTON, D. C., May 16, 1950.
THE PRESIDENT,
The White House,
Washington, D. C.:

I have the honor to bring to your attention the proposed closing of the Birmingham Veterans Hospital at Van Nuys, Calif. As you know, this hospital functions in the care of paraplegic and tubercular veterans. Many of these gallant men have built their homes close to this hospital so they could be near to the institution giving them attention and hospitalization. I earnestly protest the closing of this hospital.

In your address Monday night in Chicago you spoke of the great Northwest and its bright future. You spoke of the great future for our wonderful country. You spoke of how much you wanted equal opportunity for everyone in the United States. What is the future for these men striving to regain their health, to recover, to come back, at Birmingham? They are thinking of their future and their opportunities. How can we give them equal opportunity? Can it be done by closing this hospital they need so desperately?

They gave of themselves that we might have victory and the chance to enjoy a free country, where there might be equal opportunity. Before the battle this Government promised everything to these boys who faced the enemy's steel. Now that the battle is over and won, it is convenient to forget. In view of their sacrifice, considered together with the Nation's foreign rehabilitation program, can the closing of the Birmingham Hospital be construed as economy? I know this situation. I know many of the men fighting for their equal opportunity at this hospital. I appeal to you for action to prevent the closing of the Birmingham Veterans' Hospital.

EDITH NOURSE ROGERS,
Member of Congress.

DEDICATION AND REDEDICATION OF GRAND COULEE DAM

Mr. DEWART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. DEWART. Mr. Speaker, all of us have noted with interest the accounts of the President's recent tour of the Northwest, the nonpolitical objective of which was said to be the dedication of a generator or some similar equipment at Grand Coulee Dam. I have also heard reports, which my recollection tells me are correct, that this is the fifth or sixth, or perhaps the ninth, time that Grand Coulee, or some component part of the

structure, has been subjected to dedication by high dignitaries. It seems to me that the secretary, or whoever he is, in charge of dedications is in a rut.

I want it clearly understood that I am not suggesting another stumping tour for Mr. Truman. He managed to travel about twice as far in Montana this time as any other traveler who crosses the State by rail. But if there is occasion for another dedication ceremony, and if a worthy person could be found to do the honors, I think we should consider the fact that Glacier National Park, so far as the records show, has never been dedicated officially for the use and enjoyment of the American people.

Glacier National Park, as you know, is one of the proud attractions of Montana. There is no comparable region in the world, certainly not in our country. It is a park of rugged mountains, high glaciers, beautiful forests such as we have in no other place. Hundreds of thousands of Americans have been thrilled by its grandeur, and we in Montana who know it well always have a yearning to visit it each summer for as long as possible. We are getting along quite well without the folderol of formal dedication, but I think it should be borne in mind when dedications are considered that it really is not necessary to stage these repeat performances at Grand Coulee. We would be glad to welcome you all to a proper ceremony at Montana's Glacier National Park.

DEBT AND THE BALANCED BUDGET

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I have been wondering the last few years just when it became honorable to create debt, when it was the wise and sensible thing to put the people of this country into debt, or even to put yourself into debt so far that you are not going to be able to pay it.

I am appalled when I realize that this Congress, the Eighty-first Congress, or we might term it "the Eighty-worst Congress" is going to be \$7,000,000,000 in the red this year, and when I realize that you expect your children and your children's children, and your great-great-grandchildren to pay the bill that you are not big enough to attempt to pay, I think it is a terrible state of affairs, and I do hope and wish that the Congress and every Member of Congress regardless of whether he be Democrat, Dixiecrat, Republican, or whether he be liberal or conservative, if he calls himself an American, will strive to balance the budget and save creating debt for our children to pay.

FLATHEAD INDIAN IRRIGATION PROJECT

Mr. MORRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8199) to amend certain provisions of the act of May 25, 1948 (Public Law 554, 80th

Cong.) relating to the Flathead Indian irrigation project.

The Clerk read the title of the bill.

Mr. DEWART. Mr. Speaker, reserving the right to object, will the gentleman explain the bill briefly?

Mr. MORRIS. The bill (H. R. 8199) amends certain provisions of the act of May 25, 1948 (Public Law 553, 80th Cong.) by extending the period of time allowed the irrigation districts of the Flathead Indian irrigation project to execute new repayment contracts. This merely extends it to a later date.

Mr. DEWART. Mr. Speaker, I withdraw my reservation of objection.

Mr. RICH. Mr. Speaker, reserving the right to object, as I understand, the bill extends time for the contracts to be completed without any additional work being done.

Mr. MORRIS. I will ask the author of the bill to answer the question.

Mr. MANSFIELD. No additional funds are involved. This is a renegotiation. The original contracts expire the 24th of this month, hence the need for immediate action.

Mr. RICH. They are not going to do something now by the extension of this act that will permit some new project to come in under this bill that will create additional expense in order to be completed?

Mr. MANSFIELD. Not in the least.

Mr. RICH. In other words, this ends it when the time limit has expired?

Mr. MORRIS. Yes.

Mr. RICH. Thank goodness we end something very soon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the repayment adjustments and other provisions of sections 1 and 2 of the act of May 25, 1948 (Public Law 554, 80th Cong.), providing for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes, shall be effective as to lands included in any irrigation district which has or which shall have entered into a contract by May 25, 1951, as provided for in said act. Said act as herein amended shall not be deemed to defer the repayment obligations provided for in existing contracts between the Secretary of the Interior and any irrigation district on the Flathead Indian irrigation project which has not entered into a repayment contract conforming to the provisions of the act of May 25, 1948, as herein amended, unless and until such district shall have entered into such a contract: *Provided,* That the provisions and requirements of section 5 of said act shall be effective when an irrigation district or districts containing not less than 70 percent of the irrigable acreage of the non-Indian lands within the Flathead Indian irrigation project shall have entered into repayment contracts under said act.

With the following committee amendments:

Page 1, line 9, strike out "by May 25, 1951, as provided for in said act" and insert in lieu thereof "conforming to the provisions of said act on or before May 25, 1951."

Page 2, line 9, strike out "provisions and requirements of section 5 of said act shall be effective" and insert in lieu thereof "ap-

appropriation authorizations of said act shall be effective, and moneys appropriated thereunder shall be available for expenditure."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. STEED was given permission to address the House for 10 minutes on Monday next, following the legislative program and any special orders heretofore entered.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

THE GOVERNMENT DEFICIT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the gentleman from Pennsylvania [Mr. RICH] wanted to rise in the defense of the gentleman from Michigan [Mr. DONDERO]. I think the gentleman needs to defend himself in relation to the speech he made a few minutes ago about the Government deficit, because that deficit is caused by the tax bill which the Republican-controlled Eightieth Congress passed and for which the gentleman from Pennsylvania [Mr. RICH] voted.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. RICH. I want to say that we gave the people of this country an opportunity to get their taxes reduced. All the gentleman is doing is spending money. He does not want to economize.

THE GOVERNMENT DEFICIT

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, the majority leader of the House has spoken about the tax bill passed by the Eightieth Congress. I call his attention to the fact that the membership on his side helped to override the President's veto on that tax bill and that it did give relief to some 7,000,000 taxpayers, besides the aged and the blind. The Eightieth Congress balanced the budget, made a big payment on the national debt and cut taxes.

I would ask the majority leader, if he objects so seriously to the tax bill that was passed for the relief of the people of the United States whether he has prepared any bill that would replace the tax on these same people. He and the administration ought to keep faith and get behind legislation to raise taxes—they have a majority of 90 in the House. They should act as they talk if sincere about the tax bill of the Eightieth Congress.

Mr. McCORMACK. I voted against that tax bill.

Mr. MILLER of Nebraska. But your party helped to override the President's veto—perhaps you lost control of your party.

JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

The SPEAKER. Pursuant to the provisions of section 10 (a) of Public Law 474, Eighty-first Congress, the Chair appoints as members of the Joint Committee on Navajo-Hopi Indian Administration the following members on the part of the House: Mr. MURDOCK, of Arizona; Mr. MORRIS, of Oklahoma; and Mr. D'EWARD, of Montana.

EXTENSION OF REMARKS

Mrs. KELLY of New York asked and was given permission to extend her remarks and include a speech by the gentleman from New Jersey [Mrs. NORTON].

Mr. BIEMILLER asked and was given permission to extend his remarks and include an address delivered by the President of the United States in Madison, Wis.

Mr. BIEMILLER asked and was given permission to extend his remarks in three instances and include extraneous matter.

Mr. CHRISTOPHER asked and was given permission to extend his remarks.

Mr. BARTLETT asked and was given permission to extend his remarks and include an editorial.

Mr. BREEN asked and was given permission to extend his remarks and include an editorial from the Dayton Daily News.

Mr. LANE asked and was given permission to extend his remarks in three separate instances and in each to include extraneous matter.

Mrs. ST. GEORGE asked and was given permission to extend her remarks in two separate instances and in each to include extraneous matter.

Mr. MCGREGOR asked and was given permission to revise and extend the remarks he expects to make in the Committee of the Whole today and include various charts.

Mr. ANGELL asked and was given permission to revise and extend the remarks he expects to make in the Committee of the Whole today and include extraneous matter.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks and include a letter from employees who are protesting against losing their employment.

Mr. PETERSON asked and was given permission to extend his remarks and include a poem and newspaper article.

Mr. LUCAS asked and was given permission to extend his remarks and include an article from the Weatherford Democrat by Claud Garner.

Mr. WALTER asked and was given permission to extend his remarks and include a speech delivered by Mr. GREEN.

Mr. MORRISON asked and was given permission to extend his remarks in two instances, in one to include a speech by Dr. Walter Adams.

Mr. MICHENER asked and was given permission to extend his remarks and include an editorial.

Mr. ELLIOTT asked and was given permission to extend his remarks and include a speech delivered by Dr. C. W. Williams, professor of history at the University of Alabama.

FEDERAL AID HIGHWAY ACT OF 1950

Mr. WHITTINGTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7941) to amend and supplement the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7941, with Mr. KARSTEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through the first section of the bill.

Are there amendments to section 1? If not, the Clerk will read.

The Clerk read as follows:

SEC. 2. (a) For the purpose of expediting the construction, reconstruction, and improvement, inclusive of necessary bridges and tunnels, of the National System of Interstate Highways, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$70,000,000 for the fiscal year ending June 30, 1952, and a like additional sum for the fiscal year ending June 30, 1953. The sum herein authorized for each fiscal year shall be apportioned among the several States in the ratio which the population of each State bears to the total population of all of the States as shown by the latest available Federal census: *Provided*, That no State shall receive less than three-fourths of 1 percent of the sum authorized to be apportioned for each year under this subsection, and the sum apportioned to each State may be utilized to pay the Federal pro rata share now authorized by law on account of any project on the National System of Interstate Highways, or may be used to increase the Federal payment on account of any such project financed with Federal-aid primary or urban funds by one-half of the State's share of the cost thereof over and above the regular Federal pro rata now authorized in such State.

(b) Any State that shall issue bonds and use the proceeds of such bonds for the construction of toll-free facilities in order to accelerate the improvement of the National System of Interstate Highways may apply any portion of the funds herein, or hereafter, authorized for expenditure on said system of highways and apportioned to such State under the provisions of this section

to aid in retirement of annual maturities of the principal indebtedness of such bonds to the extent that the proceeds of such bonds are actually expended in the construction of said system of highways: *Provided*, That payment of Federal funds on the principal indebtedness of such bonds shall be made only on account of any such facility that is constructed in accordance with plans and specifications approved in advance of construction by the Commissioner of Public Roads: *Provided further*, That payment of Federal funds pursuant to this subsection shall not exceed the pro rata basis authorized by subsection (a) of this section: *And provided further*, That payments to any State pursuant to this subsection shall be made exclusively from apportionments to such State from funds authorized by the Congress to be apportioned for expenditure on said system of highways and this subsection shall not be construed as a commitment or obligation on the part of the United States to provide such funds.

Mr. MCGREGOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCGREGOR: On page 3, line 6, strike out all of section 2 starting in line 6, page 3, and running down to r-1 including line 2 on page 5.

Mr. MCGREGOR. Mr. Chairman, the amendment the Clerk has just read strikes out section 2, which refers to the allocation of \$70,000,000 for an interstate highway system under a new formula that is established in this enabling legislation. This formula is 75 percent Federal participation and 25 percent State.

Under the law that has been in existence for a number of years, we have a 50-50 matching basis. In other words, the Federal Government puts up 50 cents and the various States put up 50 cents. This covers all groups of roads. Under the bill before us for consideration now, section 2 sets aside \$70,000,000 for what is known as an interstate system, and in the allocation we have the Federal Government putting up 75 cents and the States 25 cents.

I think you will agree with me that every State is better fixed financially than our Federal Government, so why should we ask the Federal Government to put up 75 cents for a special road program and the States only 25 cents for this program? If that formula is good for the interstate highway system, why is not that formula good for the other highway systems as, for instance, the farm-to-market roads, the primary roads, and other systems?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. JONES of Alabama. The gentleman from Ohio is not proposing, is he, that we change the formula with respect to other roads such as the farm-to-market roads, rural roads, and urban roads?

Mr. MCGREGOR. I am opposed to any changing of the existing formula, because the existing formula calls for a 50-50 matching clause. I do not think we should give preferential treatment, either, to one particular type of road. I might call to the gentleman's attention that the so-called interstate system represents only 20 percent of the road construction in the United States.

So why should we set aside \$70,000,000 in addition to the regular funds which will be allocated to them under the other formula if this special road system only represents 20 percent of the road mileage in the United States.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. JONES of Alabama. I am sure the gentleman recalls that the hearings disclosed approximately 30 percent of the total amount of the roads program in 1949 was for the interstate system. If this interstate system is going to serve the functions for which it was designed, then it is a Federal responsibility and it will eliminate a tremendous amount of the matching on the part of the States. Therefore, since it is primarily a function of the Federal Government, that is the reason the formula was written as it was.

Mr. MCGREGOR. I recognize the argument that the gentleman makes. That argument has been proposed for a number of years by a group of individuals who want the Federal Government to pay more than the States. But why is this interstate system any more important than any other system? Your interstate system is going to carry individuals on a pleasure trip and perhaps may be a truck route, but why is it more necessary than the farm-to-market road which will bring the produce from the farm to the market? Why is it more necessary than the State system of roads. Mr. Chairman, there is one thing back of this whole program and that is a drive to break down the 50-50 formula for matching funds in our highway program and to start a definite program to change the matching formula from the now existing law of 50-50 to 75 percent to 25 percent.

I reiterate, Mr. Chairman, if you are going to establish a formula of 75-25 for the interstate system of highways, then why should it not be established for the other systems. I want to state unequivocally that I am opposed to the 75-25 formula whether it be for the interstate system of roads, or for the farm-to-market system of roads.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MCGREGOR. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. GROSS. This \$70,000,000 which is set up here is merely foot-in-the-door legislation, is it not?

Mr. MCGREGOR. That is absolutely correct. The record will show that this \$70,000,000 is simply a drop in the bucket of the amount of money needed for the completing of the interstate highway system.

But, Mr. Chairman, as soon as we break down the existing formula, next year you are going to be asked to change the formula for all the road systems and then the Federal Government is going to

have to put up 75 percent of a \$500,000,000 authorization, and the States that are wealthier and in a sounder financial condition than the Federal Government will only be putting up 25 percent.

Mr. D'EWARD. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. D'EWARD. Does not the gentleman agree with me that the formula under which this money is to be distributed is more favorable to the more populous States and less favorable to the thinly populated States?

Mr. MCGREGOR. That is correct.

Mr. D'EWARD. I believe that is another reason why this particular section should be revised.

I consider this a fair and equitable bill in all except section 2. It extends for two more years the present road program and adds in section 2 \$70,000,000 to be divided on a population basis. This \$70,000,000 for each of the fiscal years is for construction and improvement of the national system of interstate highways and is justified in part by national defense. I have no objection to this item or its purpose.

However, the sum is "apportioned among the States in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, but that no State shall receive less than three-fourths of 1 percent of the sum apportioned for each fiscal year."

The point I wish to make is that this formula is unfair to the sparsely settled States such as Montana. It should be apportioned on the basis of the mileage in each State. I fear under this formula my State, Montana, will get little money in proportion to the large number of miles of this class of road found in my State.

Mr. MCGREGOR. I want to call to your attention the fact that the various organizations which appeared before our committee were in opposition to this 75-25 formula. The various farm organizations are definitely opposed to the 75-25 formula.

I also refer you to the testimony of Mr. Miller on page 377. He represented the American Association of State Highways. I quote:

We felt then, and we feel now, that it surrenders a sound and definite procedure for a questionable and indefinite result.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. JONES of Alabama. The gentleman from Montana raised the point that the more populous States would receive a greater ratio of the participation by the Federal Government. As a matter of fact, in the State of Nevada you would have 91.34 percent Federal participation in this construction program. So, you would actually have more in such States as Montana and Nevada.

Mr. MCGREGOR. The chart is in the hearings and it will show just how much each State will gain by it and how much additional it will cost the Federal Government. But, Mr. Chairman, I reiterate this will be breaking down and start-

ing a new policy and we will never know how much it is going to cost the Federal Government. If the State is of the opinion that the road is not worth half what it costs the State, then that road should not be constructed. Mr. Chairman, let us not start in on this new formula of 75 percent of Federal aid and 25 percent of State contribution. I hope my amendment will be accepted.

Mr. WHITTINGTON. Mr. Chairman, if no other Member desires to be recognized on this amendment, I ask for recognition, and I ask unanimous consent that all debate on this amendment and all amendments to the pending section close in 8 minutes, the same time that was allowed the gentleman from Ohio, and that I be recognized.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, as stated in the report of the committee, this section authorizing appropriations to be apportioned among all of the States occurs for the first time in the pending bill, and the amount is \$70,000,000. Its purpose is to encourage the construction or reconstruction of the so-called interregional system of highways. The Members will recall that that system contains about 40,000 miles of parts of the primary and urban roads of the United States, and that those roads are the roads that are traveled by all of the people of the country. They connect the principal cities of one State with another. They are the most important roads in the United States. They are the roads that were selected by the Department of National Defense as being essential to national defense. Those roads have to be straightened in a great many places. They have to be widened in other places. Safety has to be promoted.

We are not undertaking to change the formula for Federal aid. That formula obtains in the \$500,000,000 authorized for Federal primary aid, secondary aid, and urban aid in the previous section of this bill; but, in an effort to promote the construction of the interregional system, the States are to be encouraged to ask that those parts of those roads that should be widened, that should be straightened, be submitted in applications first, and in order to encourage their construction we propose here to authorize \$70,000,000 to be apportioned among the States to increase the Federal share only on those roads that are on that system.

It should be kept in mind that in World War II the highways of the West, from Denver to Seattle, to San Francisco, and other western cities, were used more than any other highways of the country, because there are fewer miles of railroads, comparatively, and it was necessary for the highways to be used to transport the essentials for the prosecution of the war. Inasmuch as the principle of matching is to continue under the terms of this bill, and in order to encourage the States to apply for the construction of these interregional highways, we in this particular provi-

sion provide for an increase of the Federal-aid share. It is for the benefit of the Western States as well as other States. Take the State of Wyoming, or the State of Montana, where they do not put up 50 percent, but less than 50 percent to match, those States will get the benefit of this provision, and they are entitled to it in order to provide, without matching 50-50, for the construction and for the straightening and for the improvement of this interregional system.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I will yield in just a minute.

This is the national defense system. These are the roads that are used by the people of the country everywhere. They obtain in all of the States of the Union. We do not change the formula for Federal aid, but, in order to enable the States to apply for the construction of the needed improvements on this interregional system we do provide this money so as to supplement the 50 percent that they contribute where there is 50 percent obtaining.

The committee considered this provision very carefully. This bill comes before you with the unanimous report of the committee. The State highway department, the Commissioner of Public Roads asked us to include not \$70,000,000 but \$210,000,000 for this purpose, because, I remind you, that in the Defense Highway Act of 1941 the Congress of the United States on the strategic highways for national defense, under the terms of that act, paid 75 percent of the construction of those highways, substantially synonymous with the interregional highways. The Government paid under the act of 1941 three-quarters of the cost of the roads. We must be constructive. We must provide for needs as they arise. We have a report from the Commissioner of Public Roads—House Document 249, Eighty-first Congress—recommending among other things that it is imperative for the public benefit that our interregional or interstate or national defense system of highways be improved, that they be widened and that such improvement is essential in national defense.

I now yield to the gentleman from Nebraska.

Mr. STEFAN. I just wanted to ask the gentleman if he desired to clarify his statement that this was for the completion of the interregional system.

Mr. WHITTINGTON. I thank the gentlemen. I intended to say, and I think I did say, that it was to encourage construction and to promote improvement of parts of the interregional system. Only about \$1,000,000 of Federal-aid funds have been used on the interregional system and only about 5,000 miles have been completed in the past 5 years. It is important that the improvement be stepped up for if the present rate of improvement and construction continues it would take at least 40 years to improve the system. We may have another war before 40 years.

Mr. STEFAN. Then \$140,000,000 in 2 years will not complete the system.

Mr. WHITTINGTON. No; it will take 40 to 90 years to complete that system and rebuild it according to the testimony before our committee, unless there are increased provisions made for the construction of the interregional system.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. CUNNINGHAM. And changing the formula as proposed in the amendment will not decrease the amount to be furnished by the Federal Government, will it?

Mr. WHITTINGTON. It certainly will not, and it will not interfere with the formula that now exists that is provided for in this bill for matching Federal aid primary, secondary, and urban roads. It will increase only the Federal contribution as provided in the section when the States apply for the construction or reconstruction or rebuilding of those parts of the primary and urban roads that are in the interregional system.

Mr. CUNNINGHAM. But there is nothing in the bill to prevent any State from going ahead as fast as it wants to in road building, is there?

Mr. WHITTINGTON. Absolutely not. Mr. CUNNINGHAM. That would be in addition to the amount to be furnished by the Federal Government.

Mr. WHITTINGTON. There is nothing to prevent that at all.

Mr. MCGREGOR. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. MCGREGOR. I am sure the gentleman does not want to leave a false impression; does the chairman intend to leave the impression that it does not make any difference in the amount furnished by the Federal Government whether it is furnished on the 50-50 basis or on the 75-25 basis?

Mr. WHITTINGTON. I want it to be absolutely clear; none of these roads pass through my district. This does increase the Federal contribution for roads in the interregional system that are applied for by the States. The initiative lies with the States. But I want to make it equally clear that the increase of the Federal share will not be more than 25 percent and that it is applicable only to the \$70,000,000 and only to the interregional system. There is no change whatever in the principle of matching Federal-aid funds under the \$500,000,000 authorized.

Mr. MCGREGOR. Then, the gentleman from Iowa was in error.

Mr. WHITTINGTON. I think not. The gentleman from Iowa stated that changing the formula under the \$70,000,000 would not decrease the amount to be furnished by the Federal Government. I agreed with him. It is the most constructive provision in this bill, carried for the first time. If we want to provide for the needs of the Nation we must go forward; we cannot stand still. For my part, in the improvement of the highways of the country I propose to go forward at least to the extent of making this rather modest authorization for the interregional system of our Nation.

The CHAIRMAN. The time of the gentleman from Mississippi has expired; all time on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. MCGREGOR].

The question was taken; and on a division (demanded by Mr. CROSS) there were—ayes 20, noes 34.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. WHITTINGTON. Mr. Chairman, I move that the Committee rise and on that I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WHITTINGTON and Mr. MCGREGOR.

The Committee divided; and the tellers reported that there were—ayes 17, noes 70.

So the motion was rejected.

The CHAIRMAN. The Chair will count on the point of order that a quorum is not present. [After counting.] One hundred and thirteen Members are present, a quorum.

The Clerk read as follows:

SEC. 3. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of \$20,000,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953; and (2) for forest development roads and trails the sum of \$17,500,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953: *Provided*, That, immediately upon the passage of this act, the appropriation herein authorized for forest highways for the fiscal year ending June 30, 1952, shall be apportioned by the Secretary of Commerce for expenditure in the several States, Alaska, and Puerto Rico, according to the area and value of the land owned by the Government within the national forests therein which the Secretary of Agriculture is hereby directed to determine and certify to him from such information, sources, and departments as the Secretary of Agriculture may deem most accurate, and hereafter, on or before January 1 next preceding the commencement of each succeeding fiscal year the Secretary of Commerce shall make like apportionment of the appropriation authorized for such fiscal year: *Provided further*, That the Commissioner of Public Roads may incur obligations, approve projects, and enter into contracts under the apportionment of such authorizations, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That the appropriations made pursuant to authorizations heretofore, herein, and hereafter enacted for forest highways shall be considered available to the Commissioner of Public Roads for the purpose of discharging the obligations created hereunder in any State or Territory: *Provided further*, That the total expenditures on account of any State or Territory shall at no time exceed its authorized apportionment: *And provided further*, That appropriations for forest highways shall be administered in conformity with regulations jointly approved by the Secretary of Commerce and the Secretary of Agriculture.

Mr. VURSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a member of the Public Works Committee I should like to

say that in the hearings before the committee one could not help but be impressed from the volume of testimony given by directors of various State highway departments and by the Commissioner of Public Roads here in Washington, with the fact that due to the war and increased traffic, more roads over the past few years have been worn out than there has been new miles built. I think we have about 3,000 miles less roads in first-class condition today than we had in the beginning of the war.

Sufficient transportation for the distribution of goods will speed up and increase the economy, or income of the Nation. The lack of good roads conversely will slow down the production and thereby the volume of business in the Nation.

This brings us to the consideration of the bill before us which is an extension and continuation of the splendid national road policy laid down in the act of 1944. The bill seeks to provide for the appropriation of funds to continue to carry out this policy of the matching of funds on a Federal and State basis for the year 1952 and 1953. The bill provides for this particular purpose without some expansions provided in the bill, for the appropriation of \$500,000,000 for each of the years referred to, of which \$225,000,000 has been allocated for projects on the Federal aid primary system.

One hundred and fifty million dollars for projects on the Federal aid secondary highway system.

One hundred and twenty-five million dollars for projects on Federal-aid highway systems in urban areas.

The question may be raised that this is a considerable amount of money in view of our present fiscal condition. When one takes into consideration that the cost of road building has doubled within the last number of years, one can readily see that the amount is not large when applied to the number of miles of roads at present prices that can be built.

We are faced with the necessity, I think, of providing the above amounts designated. It is probably one of the best and most profitable investments that the Federal Government can make in cooperation with the States. Our highways, which have become run-down because of the war, and a continuing greater amount of traffic, must be extended and repaired in the interest of the growing economy of the Nation.

When you take into consideration that we are spending billions of dollars to rehabilitate various European countries, and that we are spending over \$500,000,000 a year in the building of roads, transportation facilities, and flood-control projects in Europe, how can one say that we can be justified in not doing this much for the people of America in the way of improving our highway system, and in bringing farm-to-market roads to the rural areas for the convenience of our own people, and to stimulate the productivity and distribution capacity of our own people who are taxed to pay the billions that are being expended in foreign countries.

Mr. Chairman, this money invested in roads, if we do not invest it, in my judg-

ment, will cause a loss to the people of our Nation in the wear and tear of motor vehicles over our roads and in the loss of time which would possibly amount to a total of the \$500,000,000 provided for in this bill.

You remember the slowdown of motor traffic, the wear and tear and tremendous expense on motor vehicles in the early days of motor transportation before we had this better highway system. I repeat—this is an investment that cannot be denied the people of our Nation.

FARM-TO-MARKET ROADS

I well recall the debates when we embarked on this greater expansion of road building laid down in the act of 1944. Some of us then insisted, and were successful in securing a greater allotment for the Federal-aid secondary-highway system, including farm-to-market roads. I should like to point out that \$150,000,000, or 30 percent of the total amount in this bill is continued for such purpose. I should like to further point out that over 50 percent of the rural roads so necessary to our people have not yet been improved under this particular provision of the bill.

In my district in southern Illinois, while we have made considerable progress along this line, yet it is my belief that far over 50 percent of the county and township roads have not been able to participate under this particular section of the bill.

And at this time, I would like to call your attention to the fact that it seems that the State directors of the public-roads divisions of the various States have not given the sufficient attention and cooperation to the county and township officials in pushing forward the improvement of county and township farm-to-market roads that the Congress intended they should do when the act was passed in 1944.

Mr. Chairman, as I recall, this question was raised when the act was extended in the Eightieth Congress, which wisely, in my judgment, tried to call the attention of this lack of cooperation to the Commissioner of Public Roads here in Washington, and particularly to the various State directors whose duty it was to extend full cooperation to county and township road officials.

At that time there was written into the act the following amendment:

In selecting county and township roads on which funds are to be extended, State highway departments shall cooperate with the township trustees and other appropriate local road officials.

I hope in the future that better cooperation will be extended to the end that the farmers of my district and the Nation will speedily obtain better roads so necessary over which to move their products from the farm to the local markets, and the markets of the Nation. Better roads will cause much greater investment in the building of more productive farm land, better homes and buildings on the farms, greater production, greater comforts and conveniences in farm living, which will help to keep the young men and women on the farms where they can make a greater contribution to their community, State, and Nation.

To my mind, this is one of the best sections of the bill and will probably make the greatest contribution to the public welfare of any section of the bill. As a member of the committee, after hearing all of the testimony presented, I am confident that the bill should be passed in the interest of the Nation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman actually believe we are rehabilitating the rest of the world with the billions of dollars we are spending abroad, or are we just giving away some money?

Mr. VURSELL. At any rate, we are spending the money, too much I think, but a lot of it is going for that purpose.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Missouri.

Mr. SHORT. I am glad the gentleman from Illinois has pointed out that this is not a gift but is a wise investment and will pay great dividends not only in the economic sense but in that it will save many lives. As the gentleman well knows, transportation wins or loses wars as well as determines our domestic economy.

Mr. VURSELL. I find myself in full agreement with the gentleman from Missouri.

Mr. TABER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, this bill provides for \$1,273,000,000. It is \$70,000,000 more a year than was provided 2 years ago. That means it is \$140,000,000 more. I know in my territory they are building roads with this money, which roads do not need to be built. I know they are getting into extravagances that they do not need to indulge in. The trouble with this whole set-up is that the over-all statute provides they can enter into contracts for the expenditure of this money without any appropriation and without any immediate survey being made of the needs that might arise. That is one reason why they are indulging in these extravagances. Frankly, I cannot vote for this bill. It goes way beyond what we ought to try to do, especially being in the situation that we are in. The Treasury is dead broke and we have obligations to meet in connection with our national defense. I think it is very dangerous for us to go ahead and think of nothing but improving the deficiencies and enlarging the deficit. Frankly, I am perhaps an exception to the general rule. I believe in economy, not only in our appropriations for foreign aid, but I also believe in economy in our domestic affairs. I even went so far as to believe in economy on that foolish performance of the sesquicentennial celebration.

I hope we will recover back what money is left as a result of that foolish performance.

I just wish that this could be put up on a business basis, so that they would be required to justify what they intend to do each time, before they start in obligating the Government of the United States.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. In section 2, which we tried to strike out a little while ago, we heard a great deal of talk about the need for building defense highways in the country. Is it specified under section 2 that this money is to be spent for defense highways?

Mr. TABER. Not as far as I can read it. I cannot find it in there.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WHITTINGTON. That which is called interregional is also called the defense highway system, as is shown by the reports that I have before me and that have been submitted to the committee.

Mr. GROSS. I would like to see one bill come into this House for the spending of money in which they did not allude to the dire necessity for defense. Ninety-nine percent of the bills coming in here are passed because they are necessary for the defense of this country. I believe in the defense of this country but I do not like to see every bill brought in here predicated upon that argument.

Mr. TABER. That is correct. Frankly, I cannot vote for this bill.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

The pro forma amendment was withdrawn.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes, and I ask for recognition.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I have high regard for the views of my good friend from New York [Mr. TABER]. This bill does provide for \$1,270,000,000 substantially over a period of 2 years. It provides for \$636,000,000 annually, assuming that all of the appropriations are made. It is substantially the same authorization that has been passed every 2 years, except for the amounts, since 1921. If there is one State that is spending more money, both Federal aid and local, than another in the United States it is the State of New York. They are constructing, at a cost of many millions of dollars, a thoroughway there. They are undertaking to meet the increasing needs for highways in the United States.

The gentleman from New York [Mr. TABER] complains of the contract features of this bill. Those features are applicable only to the Federal-aid, primary, secondary, and urban roads. They are not applicable to the forests or to the park and other authorizations in this bill. They have been contained in every bill that has been passed since the Highway Act of 1921 as amended in 1925. They protect the Federal Treasury, for, instead of appropriating the full amount of the authorizations, these contract provisions enable the legisla-

ture to match those funds. Forty-four of the legislatures meet in 1951. Ordinarily, after they have been apportioned, it takes from 12 to 24 months to prepare the plans. The gentleman came before the committee in the Eightieth Congress with respect to this contract feature, in connection with my good friend, the gentleman from Massachusetts [Mr. WIGGLESWORTH], and made the same proposal, and it was there shown, and I emphasize now the fact, that it may be 2 years before the appropriations that have already been authorized will actually be made. It is a question of whether or not you want to appropriate the funds, let them lie idle in the Treasury, or make the appropriations as the works are completed.

So I assert that it is in the public interest to provide for this contract feature, as we have done for 25 years. It has been done. It has been tried. It has been tested. It has been in force ever since the Budget and Accounting Act was passed during the Harding administration.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. In just a moment. Furthermore, under the terms of this bill it does provide for an increase of \$70,000,000. We retained the fundamental principle of matching on Federal aid primary, secondary, and urban roads. That seventy million applies to the interregional system. That is synonymous with the national defense system. If we are to provide for national defense in Europe and in Asia, and with our experience in World War II, certainly we can do no less than to provide for the transportation that is absolutely essential to production, in the event of world war III.

In this connection I say in conclusion that the people of the United States are paying in Federal use taxes every year for these roads. In 1949 they paid \$1,326,054,091. Those who pay these taxes are entitled to the roads, and we can do no less than to provide for substantially the amount that is being paid in the form of Federal gasoline taxes of 1½ percent. The provisions of this bill for \$500,000,000 were contained in the bill when the Eightieth Congress considered it when it passed the House. It went to the other body and after several days of conferences the other body's representatives in control at that time insisted upon a reduction. It may be of interest to note that the two Senators who insisted upon it were defeated in the very next election.

Mr. TABER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Mississippi has expired, all time has expired.

Mr. WHITTINGTON. Mr. Chairman, notwithstanding the expiration of time I ask unanimous consent that it may be extended 2 minutes in order that I may yield to the gentleman from New York for a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I yield to the gentleman from New York.

Mr. TABER. My objection has been to that contract feature, that there is no detailed review ahead of the starting in of that contract proposition, and there needs to be because of extravagances about which I know in the construction of highways way beyond the requirements of the territory.

Mr. WHITTINGTON. The gentleman stated that in his remarks a few minutes ago.

Mr. TABER. That is why I objected to it, because there was no detailed review. That is why we are presented with a mess instead of a real forward-looking program that will benefit the country.

Mr. WHITTINGTON. Mr. Chairman, there is a kind of economy that is constructive; there is such a thing as economy that is destructive. I repeat that if the gentleman's contention were to prevail, member as he is of the Committee on Appropriations, honoring him as I do, that the Federal Government would have been required during this fiscal year to have made twice the appropriations that we are making for Federal-aid roads. By this provision the money remains in the Federal Treasury until the contracts have been completed or payments for work done are required. The testimony shows that all of the States need the amounts that will be apportioned to them for the next two fiscal years, and in fact it shows that much more will be needed than is authorized. It will take some ten billion alone to strengthen, widen, and reconstruct the interregional system. The Joint Committee on the Economic Report estimates today that the deficiencies of roads, streets, and highways in the United States amounts to over \$41,000,000,000. The contract provisions in the pending bill and in all previous highway acts are most important. The roads are selected by the State highway departments and in the case of secondary roads by the county or township supervisors, and they are approved by the Commissioner of Public Roads. The contract provision is absolutely essential to the sound working of the Federal-aid program. If the contention of my friend, the gentleman from New York, prevailed, the Committee on Appropriations would select the roads or parts of roads to be constructed in every State. I prefer the provisions of the pending bill and of all previous Federal-aid legislation under which the State highway departments select the roads and build them after they have been approved by the Commissioner of Public Roads. The public interest will be promoted by passing the pending bill to match the \$500,000,000 authorized for primary, secondary, and urban roads, and for \$70,000,000 with which to increase the Federal share on the interregional highway system for the general convenience and to promote national defense. By all means the contract provision should obtain.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired; all time on this section has expired.

The Clerk read as follows:

SEC. 4. (a) For the construction, reconstruction, improvement, and maintenance of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$10,000,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953: *Provided*, That of the sum authorized by this subsection for each fiscal year not more than \$4,000,000 shall be used for the maintenance of such roads and trails and not more than \$1,000,000 shall be used for the construction of minor roads and trails: *Provided further*, That hereafter appropriations for the construction, reconstruction, and improvement of such park and monument roads shall be administered in conformity with regulations jointly approved by the Secretary of the Interior and the Secretary of Commerce, and projects for the construction, reconstruction, and improvement of such park and monument roads shall be agreed upon jointly by the Secretary of the Interior and the Secretary of Commerce.

(b) For the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of \$13,000,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953: *Provided*, That of the sum authorized by this subsection for each fiscal year not more than \$500,000 shall be used for the maintenance of parkway roads and not more than \$400,000 shall be used for the construction of minor roads and trails within parkway boundaries: *Provided further*, That hereafter appropriations for the construction of parkways shall be administered in conformity with regulations jointly approved by the Secretary of the Interior and the Secretary of Commerce, and projects for parkway construction shall be agreed upon jointly by the Secretary of the Interior and the Secretary of Commerce.

(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$6,000,000 for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Bureau of Public Roads before any expenditures are made thereon, and all such construction shall be under the general supervision of the Bureau of Public Roads.

SEC. 5. All provisions of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), and the provisions of the Federal-Aid Highway Act of 1948, approved June 29, 1948 (62 Stat. 1105), not inconsistent with this act, shall remain in full force and effect.

SEC. 6. That section 14 of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), is hereby amended to read as follows:

"SEC. 14. It shall be the duty of the State to maintain any highway within its boundaries after construction under the provisions of this act. If at any time the Commissioner of the Bureau of Public Roads shall find

that any such highway in any State is not being properly maintained he shall call such fact to the attention of the highway department of such State and if within 90 days after receipt of such notice said highway has not been put in a proper condition of maintenance, then the Commissioner of Public Roads shall withhold approval of further projects in such State until such highway has been restored to a proper condition of maintenance: *Provided*, That in any State wherein the highway department is without legal authority to maintain a highway so constructed as a secondary or an urban road project the highway department of such State shall enter into a formal agreement with the appropriate officials of the county or city in which such highway is located for its maintenance, and if at any time the Commissioner of Public Roads shall find that such highway is not being properly maintained he shall call such fact to the attention of the highway department of such State and if within 90 days after receipt of such notice said highway has not been put in proper condition of maintenance then the Commissioner of Public Roads shall withhold approval of further secondary or urban road projects in such county or city until said highway shall have been placed in a proper condition of maintenance."

SEC. 7. That subsection (a) of section 5 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), is hereby amended by increasing the Federal share payable on account of the costs of rights-of-way from "one-third" to not exceed "one-half" of such costs.

SEC. 8. Section 3a of the Federal Highway Act of November 9, 1921, as amended by the act of February 20, 1931 (46 Stat. 1173), is hereby amended to read as follows:

"Sec. 3a. That the Secretary of Commerce is authorized to cooperate with the State highway departments and with the Department of the Interior in the construction of public highways within Indian reservations and national parks and monuments under the jurisdiction of the Department of the Interior, and to pay the amount assumed therefor from the funds allotted or apportioned under this act to the State wherein the reservations and national parks and monuments are located."

SEC. 9. Not to exceed \$10,000,000 of any money heretofore or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, shall be available for expenditure by the Commissioner of Public Roads, in accordance with the provisions of the Federal Highway Act, as amended and supplemented, as an emergency relief fund, after receipt of an application therefor from the highway department of any State, in the repair or reconstruction of highways and bridges on the primary or secondary Federal-aid highway systems which he shall find have suffered serious damage as the result of disaster over a wide area, such as by floods, hurricanes, tidal waves, earthquakes, severe storms, landslides, or other catastrophes in any part of the United States, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under the authority of this section: *Provided*, That no expenditures shall be made with respect to any such catastrophe in any State unless an emergency has been declared by the Governor of such State and concurred in by the Commissioner of Public Roads: *Provided further*, That the Federal share payable on account of any repair or reconstruction project provided for by funds made available under this section shall not exceed 50 percent of the cost thereof.

SEC. 10. The Commissioner of Public Roads is authorized and directed to assist in carry-

ing out the action program of the President's Highway Safety Conference and to cooperate with the State highway departments and other agencies in this program to advance the cause of safety on the streets and highways: *Provided*, That not to exceed \$75,000 shall be expended annually for the purposes of this section.

Sec. 11. The Secretary is authorized to delegate to the Commissioner of Public Roads any authority vested in him by this act.

Sec. 12. If any section, subsection, or other provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act and the application of such section, subsection, or other provision to other persons or circumstances shall not be affected thereby.

Sec. 13. That all acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

Sec. 14. This act may be cited as the "Federal Aid Highway Act of 1950."

Mr. WHITTINGTON (interrupting the reading of the bill). Mr. Chairman, after conferring with the ranking minority member and other members of the committee, and in order to facilitate the orderly consideration of the bill, inasmuch as we have passed the main provisions of the bill and the main authorizations, the others being for national parks, national monuments, and forest roads, and some clarifying amendments, I ask unanimous consent that the remainder of the bill be considered as read, be printed in the RECORD at this point, and be open to amendment; that the Chairman call the numbered sections consecutively for amendment until the last section has been disposed of. This will not prevent the offering of amendments but will facilitate the consideration of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. Are there amendments to section 4?

Mr. O'KONSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'KONSKI: On page 8, line 13, strike out "\$6,000,000" and insert "\$8,000,000."

Mr. O'KONSKI. Mr. Chairman, my amendment will increase the authorization for roads on Indian reservations and Indian lands from the sum of \$6,000,000 to a total of \$8,000,000.

When you consider that the roads on Indian reservations and Indian lands of the United States comprise some 20,000 miles of road, and you are allowing the magnificent sum of \$6,000,000 to take care of these 20,000 miles of road on Indian reservations and Indian lands, perhaps it would be just as well if we did not appropriate anything at all for maintenance of those roads. Dividing 20,000 miles into the sum of \$6,000,000, you get the measly sum of \$300 per mile of road. How much of a road can you maintain for \$300 per mile?

The difficulty in dealing with Indian roads and Indian lands is the difficulty that we have experienced in Congress all the way through. We show an abject amount of neglect of the Indian problem

until an expose occurs, something like happened a year ago in reference to condition of the Navajo Indians. Then we hurry up and appropriate haphazardly eighty or ninety million dollars to take care of the problem that should have been taken care of as the years went by.

The Bureau of Indian Affairs asked for the sum of \$13,900,000 to do the job that it thought ought to be done. The amendment I propose does not give the entire amount asked by the Bureau of Indian Affairs. It merely raises the amount from \$6,000,000 to \$8,000,000. I am sure that the members of the committee when they realize 20,000 miles of road have to be taken care of, and when they realize the importance of taking care of those roads and doing something to help solve the Indian problem throughout the United States of America, will reconsider and raise this small amount from \$6,000,000 to \$8,000,000 so that a better job can be done.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. The bill that was originally introduced and considered by the committee before the committee rewrote the bill and before this bill we have before us was introduced only provided \$4,000,000. On account of the floods that have occurred in North Dakota, through the request of a number of our colleagues who are interested in Indian lands, the committee increased the amount to \$6,000,000, which is the largest authorization ever carried in any bill.

May I say in this connection that I have before me the amounts of authorizations that have been made up to and including the present fiscal year for Indian lands under the acts of 1944 and 1948, and I find that there are authorized \$17,649,000 that have not been appropriated. In view of the unappropriated funds heretofore authorized, notwithstanding our sympathy for the Indians, and they are in distress because of the floods in several of the States, the committee feels this is a most generous authorization in the pending bill.

Mr. O'KONSKI. I appreciate the contribution made by the distinguished gentleman from Mississippi and I respect his judgment a great deal; however, I think that this authorization should be increased from \$6,000,000 to \$8,000,000. The committee was gracious enough, as the chairman pointed out, to raise the sum, after we appeared before the committee, from four to six million dollars, which is very much appreciated.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman from Michigan.

Mr. DONDERO. I call the attention of the gentleman to the fact that this is the amount carried in the bill in 1948. When you consider the \$17,000,000 on hand, plus the \$12,000,000 which this bill will carry in 2 years, there will be nearly \$30,000,000 to be expended on Indian reservation roads. It does seem to me that is ample and adequate to take care of the problem.

Mr. WHITTINGTON. And as my colleague will recall the act of 1944 carried \$6,000,000 for this purpose, as did the act of 1948.

Mr. O'KONSKI. I realize and appreciate the position of the leaders of the Public Works Committee. I know that our job lies not so much with the members of this distinguished committee as with the members of the Appropriations Committee to try to get the adequate amounts to do the right kind of job by the Indian Bureau in the field of roads.

Mr. DONDERO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. Chairman, the committee raised the amount in question 50 percent before reporting this bill to the floor. With the amounts remaining unobligated and on hand, it seems to me we are providing generously for Indian roads. No harm will be done the program by sustaining the amount specified in the bill. I therefore think the amendment offered by the gentleman from Wisconsin [Mr. O'KONSKI] should not be approved, and I ask that it be rejected.

Mr. WIER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I merely wish to call attention to the fact that I shall support the amendment offered by the gentleman from Wisconsin on the basis of the destruction that has occurred by reason of the terrific floods in North Dakota and Minnesota. Considerable of that destruction has been in the territory of Indian reservations. I want the Members to take cognizance of the fact that millions of dollars worth of roads and bridges have been destroyed in the State of Minnesota, in the State of North Dakota, and down through South Dakota. I think it is very worthy that some consideration be given in the provision of this extra \$2,000,000. I know the \$2,000,000 the gentleman attempts to add as an amendment is limited to Indian reservations, but that will help both Minnesota and North Dakota in the rehabilitation of utterly destroyed highways and roads.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. O'KONSKI].

The amendment was rejected.

The CHAIRMAN. Are there further amendments to section 4?

Are there any amendments to section 5? Section 6? Section 7? Section 8? Section 9?

Mr. HOLMES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLMES: On page 10, line 23, after "Sec. 9," insert "(a)" and on page 11, after line 22, insert the following:

"(b) The Commissioner of Public Roads is authorized to provide for the construction, reconstruction, or improvement of roads (including defense service roads, bridges, tubes, and tunnels) in order to provide access and service to military, naval, and air force reservations, facilities, and installations, and to defense industries and defense facilities and installations; and in order to correct critical deficiencies in existing roads in adjacent communities on which

there is serious congestion due primarily to traffic generated by military, naval, and air force reservations, facilities, and installations, or by defense industries and defense facilities and installations, when such roads are certified to the Secretary of Commerce as essential to the national defense by the Secretary of Defense, the Chairman of the Atomic Energy Commission, the Chairman of the Munitions Board of the Department of Defense, or by the Chairman of the Research and Development Board of the Department of Defense. Not to exceed \$10,000,000 of any money heretofore or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, shall be available for expenditure by the Commissioner of Public Roads in accordance with the provisions of such act in carrying out the provisions of this section and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under authority of this section: *Provided*, That the Federal share payable on account of the construction, reconstruction, or improvement of any such road pursuant to this section shall not exceed the Federal pro rata share of the cost of projects authorized by the Federal Highway Act, as amended and supplemented, in the State in which such construction, reconstruction, or improvement work is undertaken."

Mr. HOLMES. Mr. Chairman, this amendment to section 9, starting at the bottom of page 10, does not change the total authorization of the bill one dollar. It does set aside a \$10,000,000 fund to be administered by the Public Roads Administration in exactly the same manner as the Committee on Public Works has set aside certain sums of money in the past and in this bill for administering emergency funds.

There are areas within the United States, which might be termed "defense areas," where, I believe, the authority contained in this amendment is required for two reasons: First, to permit prompt and rapid evacuation should any emergency or defense purpose make necessary such evacuation; second, to meet present-day emergency conditions arising from the establishment of military installations or defense plants in an area where the present highway system is inadequate. These two reasons involve both security and efficient operations at these installations.

This amendment will give to the proper Federal agencies necessary authority to cooperate with State agencies. It will permit the allocation of funds out of the total authorized appropriations for the Federal Aid Road Act, and thus not require any additional money authorization to that proposed in H. R. 7941.

The administration of the authorization is properly safeguarded through the requirement for certification by the Department of Defense, the Atomic Energy Commission, and so forth. It conforms with the policy followed by Congress in providing emergency funds to meet extraordinary conditions. It follows also the pattern of the Public Roads Administration in its program, and the language is in a form to meet and conform with Public Roads Administration procedure.

The suggestion has been made that there already is legislation on the subject covered by the bill. This, however,

is not the case. Section 6 of the Defense Highway Act of 1941, approved November 19, 1941—Fifty-fifth Statutes, page 765—provided for the construction of roads to military and naval reservations and to defense industries and defense-industry sites during the period of the emergency when certified as being important to the national defense by the Secretary of War or the Secretary of the Navy. Section 6 of said act authorized appropriations for paying the entire cost of the construction of such roads when so certified. However, the act approved July 25, 1947—Public Law 239, Eightieth Congress—contained the following provisions:

That the following statutory provisions are hereby repealed: * * *. The provisions of the act of November 19, 1941 (55 Stat. 765), as amended, relating to the availability for obligation of funds appropriated pursuant to said act, as amended, except that such funds shall remain available for the completion of access-road projects which are now under construction.

The effect of the above clause is to terminate the availability of funds under section 6 of the Defense Highway Act except as to such funds as were permitted to remain available for the completion of access-road projects then under construction. There is not, therefore, any law now in effect which authorizes the construction of such access roads and provides funds for that purpose.

The purpose of this amendment is to make provision for meeting situations such as outlined above, when certified as necessary in connection with the national defense. It follows the pattern of legislation which has been enacted by Congress over a long period of years with respect to relief in emergencies. In other words, it provides a stand-by authority which can be invoked in conformity with the provisions of the amendment, and would make it unnecessary for Congress to provide more specific legislative authority and funds for the purpose in individual instances that may arise.

The need for this legislation was brought to my attention particularly by conditions existing in the Columbia Basin west of the Columbia River resulting from the establishment of the Hanford Engineer Works of the Atomic Energy Commission there. This plant was, of necessity, located in a sparsely settled area. It has resulted in a tremendous increase in population, which has created many complex problems in community life, not only for the Government city of Richland, but also for the two neighboring cities of Kennewick and Pasco, both of which have doubled and tripled in population. The problem is again multiplied by the recent announcement that troops will be garrisoned in the Hanford area beginning April 1. The construction program to furnish quarters for these troops will begin soon after July 1, it is expected, and this will add an additional burden because of the workmen coming into the area on this new construction.

One of the chief problems has been an increasingly difficult traffic situation directly attributable to the lack of suf-

ficient bridge facilities across the Columbia River. This, in turn, has pointed up the national-defense problem as to what could be done in the event any evacuation of that area might become necessary. Should any emergency arise, through any cause whatever, calling for rapid evacuation of the area to the west of the Columbia River, there is, at present, no way by which either the Government force or civilian personnel could be moved across the Columbia River and to the east or southeast because of the lack of facilities to cross this great river. There is, at present, only an inadequate narrow two-lane, State-owned bridge, built in 1922, to permit crossing of the river and to handle traffic. This traffic, verified by a State highway department count in 1948, totaled 104,000 vehicles in a week, and a later count totaled 18,000 vehicles in 24 hours. In any emergency there would be at least 75,000 to 100,000 people to evacuate, an impossible task as conditions now exist, should it be necessary to do so quickly.

There is no highway bridge to the north on the Columbia River from Kennewick except the Vantage Ferry bridge on route 10, a distance of some 75 miles. To the south on the Columbia River, there is no highway bridge until you reach the White Salmon-Hood River bridge, which is just 65 miles out of Portland, Oreg., and a journey of about 150 to 160 miles from the Kennewick-Pasco bridge. It would be impossible to get to the Vantage Ferry bridge because it would require going straight through the Hanford Reservation or through a very circuitous route farther west.

The State highway department, realizing the emergency, has made a thorough study of the necessity for a new bridge at that location. In predicting the traffic for the future in this area, it is indicated that by 1951, if a bridge could be completed by that time, there would be on the existing bridge an annual average daily count of 8,707, and on a new structure, a count of 11,190.

The existing bridge between Pasco and Kennewick is only 19 feet between curbs. Of the average of 16,234 vehicles using the bridge daily, the State highway department advises me that an origin-destination survey shows an average daily traffic count of 9,150 vehicles using the present bridge, which was entirely generated by reason of the installation at Richland. I am advised by the State highway department that application was made some time ago through the Public Roads Administration, supported by a resolution from the House of Representatives of the State of Washington, for an allocation of Federal money as a matching fund to enable the State highway department to construct a bridge across the Columbia River between Pasco and Kennewick capable of handling the increased traffic at that point. As explained before, funds could not be allocated until legislation of this nature could be passed.

I urge favorable consideration by the House of this proposed amendment.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON. As I understand it, in the event that the appropriate military officials certify the need for a road, then the Public Roads Commission has the right to allocate the funds for that road?

Mr. HOLMES. Yes; under the limitation of a fund of money which I have asked to be set aside, in the amendment, of \$10,000,000 will be used in extraordinary circumstances by the certification of the Public Roads Commission and the Department of Defense in exactly the same manner as they handle extraordinary situations with flood moneys.

Mr. JOHNSON. I know of two installations in southern California out in the Mojave Desert, which are very much isolated from the rest of the world. Would that kind of installation be eligible in the event a proper certification is made and if they could convince the Roads Commission? Then could they get some highway relief?

Mr. HOLMES. Yes; they would.

Mr. JOHNSON. If the gentleman's amendment is adopted, it does not increase the amount authorized by this bill?

Mr. HOLMES. No; it does not increase the amount by a single dollar.

Mr. JOHNSON. It only carves out a maximum of \$10,000,000 from the full amount of the authorization. Is that not correct?

Mr. HOLMES. That is correct, plus the fact, may I say to the gentleman from California, that this amendment operates in the same manner as a 50-50 matching fund with the various areas that are involved that is with certified projects. While during the war emergency the Government paid the entire bill.

Mr. JOHNSON. In other words, if that were done in my State, California would match the amount on the basis of 50 percent?

Mr. HOLMES. That is right.

Mr. JOHNSON. And that would be the situation in every other State?

Mr. HOLMES. That is right.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield.

Mr. DONDERO. What does the gentleman's amendment provide as to where this money would come from?

Mr. HOLMES. It would come out of the authorization in the bill.

Mr. DONDERO. So that, if the gentleman's amendment prevails, the amount to be set aside would lower the other authorizations in the bill which are intended for other purposes?

Mr. HOLMES. It would only be involved in handling that particular type of emergency and extraordinary conditions, as you do in flood-control work.

Mr. DONDERO. Is this the same amendment that the gentleman proposed before the committee?

Mr. HOLMES. That is right.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield to the distinguished chairman.

Mr. WHITTINGTON. The gentleman is being very frank, but that is not the whole story. There is a little word, to wit: "revolving." As I recall the amendment and as I recall the gentleman's bill, it might involve \$10,000,000 or it might involve \$20,000,000 or it might involve a great deal more. It is indefinite on the face of it.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HOLMES. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HOLMES. In reply to the distinguished chairman, the amendment is limited to the \$10,000,000 fund. That is a limitation placed in the amendment.

Mr. WHITTINGTON. With all due deference, that means a revolving fund, and it is to begin with \$10,000,000, but it may aggregate \$100,000,000 before we get through.

Mr. HOLMES. It does not have to be replenished past the \$10,000,000 point until it is used up under the language of the amendment and only after proper certification of a project by the Public Roads Administration and the Department of Defense.

Mr. WHITTINGTON. Well, certainly not.

Mr. HOLMES. I hope the committee will give favorable consideration to the amendment.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I ask for recognition.

Mr. Chairman, translated, the amendment offered by the gentleman from Washington [Mr. HOLMES] means that for the enlargement and building of a bridge across the Columbia River, Washington and Oregon be given preference in the matter of bridge construction in the United States.

The gentleman has a bill that has been considered by our committee. We heard him. The hearings are available to the membership. The committee declined to embrace the provisions of the gentleman's bill and the gentleman's amendment. The committee rejected it, and I think properly so.

Section 9 treats all of the States exactly alike with respect to emergencies. Section 9 is not new law. It obtained in 1934, 1936, and 1943. It provides that in emergencies, in the event of a storm or a catastrophe of any kind, \$10,000,000 only—not a revolving fund—\$10,000,000 of the funds appropriated as authorized

in this bill shall be made immediately available so that if a Federal-aid road or bridge has been destroyed or damaged it would not be necessary to wait until the next session of the Congress to repair it.

The provisions of that section have been tried and approved. That fund has been exhausted. So we ask in this bill, under section 9, that that law be reenacted, because that fund has been exhausted. But the gentleman from Washington [Mr. HOLMES], with respect to an atomic project out there, has got a congested condition. There is a bridge across the Columbia River and congestion obtains when you reach the approaches. That is true whether it is down here at the Fourteenth Street bridge over the Potomac River in Washington, or whether it is a bridge over many other rivers and in many cities and States. That condition obtains generally in the United States. The committee pointed out that in many cities in this country there are rivers that divide cities, and it is just as necessary that additional bridges be constructed in those cities as it is near an atomic energy project, in the gentleman's district.

Out of the billions that we have authorized for that atomic energy project, a railroad has been constructed to reach it. Under national defense, if they need help, as I understand the law, the Atomic Commission has a right to provide funds for the construction of a highway or a bridge. But now, in addition to the funds allocated to his State, the gentleman, vigilant and persistent, I might add, and properly so, in behalf of his constituents, asks the Congress to provide a revolving fund to construct a bridge out there that he is interested in. When that amount of \$10,000,000 is used up, without any further authorization it would automatically be replenished. If his bridge is constructed and your bridge is constructed and other bridges are constructed, it might amount to \$100,000,000. It is an unsound proposal. In my judgment, if it was essential to national defense, the Atomic Energy Commission that is building a railroad out there, at a cost of something more than a million dollars, as I recall, would have authority, as they did during the war, to construct it. Now, under the guise of providing an additional facility, the gentleman is offering an amendment which would bring forward the law that obtained during the war, that authorized the President of the United States, as Commander in Chief, to construct at Federal expense—except that he would match it—military and other installations.

The committee considered the gentleman's proposal and I think properly rejected it.

I now yield to the gentleman.

Mr. HOLMES. In all due fairness to the gentleman's remarks, this is Nationwide. It does not pertain just to that particular area.

Mr. WHITTINGTON. Is that a question or a statement?

Mr. HOLMES. It is Nationwide.

Mr. WHITTINGTON. But, in all fairness, it is intended to apply to the atomic energy project across the Columbia

River, because you are the only Member of Congress who has been before our committee in behalf of a project of this kind. We considered it carefully. We heard you at length, and, in all kindness, if the State of Washington is as much interested as you and the people of your district seem to be, they can match the fund and provide for an additional or longer bridge, just as they can do in many other cities out of Federal-aid funds apportioned to the States.

Mr. HOLMES. Of course, that is what they would do all over the Nation in relation to this amendment, in those acute defense areas.

Mr. WHITTINGTON. Yes, but in peacetime, under the guise of an atomic energy project, you are trying to get out of the funds appropriated for all the people in the United States, enough money set aside so that this bridge may be constructed. In my judgment, the amendment should be defeated.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The question is on the amendment offered by the gentleman from Washington.

The amendment was rejected.

(The CHAIRMAN called sections 10 to 13, inclusive, for amendment, but none was offered.)

The CHAIRMAN. Are there amendments to section 14?

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, at the appropriate time, I shall offer a motion to recommit this bill to the Committee on Public Works, with the direction to report the same back to the House forthwith, with a modest reduction of 20 percent in the annual amounts authorized to be appropriated under section 1 for Federal aid to highway construction.

The amount of the saving, if this motion should carry, would be \$100,000,000 a year for the 2 years involved, or a total of \$200,000,000.

By this amendment I seek to make a modest reduction of 20 percent in the annual amounts authorized to be appropriated under this program for Federal aid to highway construction. The amount of the saving, if the amendment is adopted, would be \$100,000,000 a year for the 2 years involved, or a total of \$200,000,000.

I would be less than frank were I not to admit at the outset that even if this motion should carry, I would still feel compelled to vote against the bill. The Members are entitled to that frank statement from me at the outset.

Two years ago, when our budget was balanced, we authorized an expenditure of \$450,000,000 a year for fiscal 1950 and 1951. Now, when we have been running for 2 years in the red to the tune of over \$5,000,000,000 a year, it is proposed to authorize for fiscal 1952 and 1953 even more—\$500,000,000 a year, or a total of \$1,000,000,000. In addition to that, of course, this bill carries with it authorizations for other road-construction projects not covered by my amendment, amounting to \$136,500,000 a year, or a total for the 2 years of \$273,000,000.

Good roads are, of course, vital to the welfare and progress of our great country. But the same argument may, with equal force, be advanced regarding many other features of our national life.

We have been presented by the committee, on pages 4 and 5 of the report, with a table showing the amount which each State will receive under this program. The last column gives the apportionment of the total figure of \$570,000,000, which is involved in sections 1 and 2, and the next-to-the-last column gives the apportionment of the \$500,000,000 figure involved in section 1 alone, to which my motion will be addressed.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I will be very happy to yield to the gentleman from Pennsylvania and others at the end of my remarks that they may inquire what amount their States would receive and what they pay.

Under this program, for instance, New York will receive \$31,700,000. But New York's contribution to all Federal-aid programs is 18.35 percent, so that New York citizens will pay \$91,700,000 in order to get back \$31,700,000 out of the \$500,000,000 fund.

Here are the figures on all the 14 States which contribute to Federal road programs more than they receive:

States	Percent contributed to Federal-aid programs	Amount contributed to \$500,000,000 Federal road program	Amount received Federal road program
California.....	7.3	\$36,500,000	\$26,800,000
Connecticut.....	1.59	7,000,000	4,800,000
Delaware.....	.76	3,800,000	2,000,000
Illinois.....	8.82	44,100,000	21,800,000
Kentucky.....	2.01	10,000,000	8,400,000
Maryland.....	2.64	13,200,000	4,900,000
Massachusetts.....	3.04	15,200,000	9,800,000
Michigan.....	6.34	31,700,000	17,000,000
New Jersey.....	2.84	14,200,000	9,500,000
New York.....	18.35	91,700,000	31,700,000
North Carolina.....	2.88	14,400,000	11,100,000
Ohio.....	6.49	32,400,000	19,500,000
Pennsylvania.....	7.64	39,700,000	23,600,000
Virginia.....	1.50	9,500,000	8,500,000

The charge may be made by one of the Members from the 34 States which contribute less than they receive under such Federal-aid programs that this attitude is provincial, and that, as Members of the national legislative body, we should look at all of these questions from the point of view of the national interest alone, without regard to their effect on our own constituents. Perhaps there is some merit in that argument. The difficulty is that provincialism is evidenced day in and day out most frequently and most clearly by those who are securing something for their own districts at the expense of everybody else. It is to offset that type of argument, almost daily heard in this body and the other body, that I have felt it desirable to call the attention of my colleagues, particularly those from the States which I have enumerated, to the burden which they are casting upon the people in their own districts by favoring the measure before us, and opposing the motion which I shall offer.

Nor do I concede the charge which will be made that opposition to this bill and the proposal of this motion to recommit stems from an effort to protect only the taxpayers of a limited geographical area.

It seems to me it is the height of irresponsibility in the present precarious state of our Federal finances, faced as we are with inescapable commitments to preserve the security of our country for us, as representatives of all of the people of the United States, to vote an actual increase in authorizations for the construction of highways—surely one activity where prudence would dictate some pruning, rather than enlargement of expenditures.

Despite the honeyed words from high quarters, no responsible official connected with either our Defense Department or our Department of State envisions in the immediate future any substantial reduction in our budgetary provisions for the armed services. Indeed, all the talk, except that of a purely political character, is along the line of a possible increase in these commitments. In the present state of world affairs we dare not, we will not fail to make adequate provision for the needs of our armed services and research projects.

We are a mighty Nation, guarding not only our freedom but the freedom and hope of freemen everywhere. Nothing could be more false or more foolish than to cripple our armed services while the world is in its present state of turmoil and unrest.

In the meantime, however, it is imperative that we reduce our domestic expenses. Projects, buildings, roads, and plans which would have first priority in more normal times must be postponed until such time as we can afford them, or scaled down to meet the capabilities of our people. We are not free agents in the true sense, since a major part of our budget today is determined for us by the despotic rulers of a foreign power.

Our country is undoubtedly the wealthiest, most prosperous nation in the world at the present time, but we must not delude ourselves into thinking that we can afford to waste our wealth on a multitude of peacetime projects, in addition to bearing the tremendous burden of maintaining an adequate defense.

There comes a point in taxation where diminishing returns begin to result. To continue to further expand our economy and our prosperity we must not make the rate of taxation so high that people will not have the incentive to invest their money. In order to preserve our ability to support the Government by taxes we must maintain a sound and prosperous economy.

We must tailor our expenditures to meet the amount of income which the Government receives in the form of taxes. A sound fiscal policy, embracing a just rate of taxation and the practice of economy with regard to normal spending, is the soundest defense policy we can have.

We must not fritter away our wealth and our freedom for the short-lived benefit of special interest groups who put their sectional or political welfare above that of the Nation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Chairman, there could be no benefit in defeating communism abroad if we allow ourselves to slip into financial ruin here at home. Moreover, nothing would please the Kremlin and the Communists more than to have the United States, the stronghold of liberty and individual rights, become a victim of our own extravagance.

The reduction which I shall propose in my motion is modest indeed—only 20 percent off the \$500,000,000 figure, and only about 10 percent under the last authorization bill which we adopted.

Furthermore, since this is a planning bill for fiscal 1952 and 1953, it cannot successfully be contended that such a reduction will result in any interference with projects already under way. The time has come—indeed, long since was here—for us to begin to cut down on the always enticing, but surely destructive course of raising, year after year, the authorized expenditures for this, that, or the other Federal project. No harm can come to any community by this reduction. On the other hand, a reversal in our profligate policy will be hailed, not alone among those in the 14 States which I have enumerated, but throughout the country, as an indication that it is at long last sinking into our collective consciousness that if our country is to make substantial, constructive progress; if it is to build its future, not on the sands, but on a rock; if it is to maintain its position of world leadership and preserve, not only its own freedom but freedom throughout the world, it can only be done by the careful husbanding of our own resources and the prudent management of our own financial structure.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I would like to have the gentleman quote the figures for Pennsylvania that he did for New York.

Mr. KEATING. Pennsylvania's percentage of contribution to Federal aid programs is 7.94 percent and the amount, therefore, which it contributes to the \$500,000,000 is \$39,700,000. For that \$39,000,000 plus it receives back \$23,600,000, or a difference of over \$13,000,000.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. May I point out to the gentleman that we had before our committee Mr. B. D. Towney, superintendent of public works for the State of New York.

Mr. KEATING. If the superintendent of public works of the State of New York appeared along with all the other superintendents of public works from other States in favor of this bill, I differ with him just the same as I differ with

the others. But I point out to my friend from Alabama that the New York State Assembly has passed a memorializing resolution which I inserted in the Record on May 9 and which will be found at page A3418. In that resolution the attention of the New York congressional delegation and others was drawn to the annual tendency to increase these Federal-aid programs—\$2,190,000,000 for fiscal 1949, over three billion for fiscal 1950, and approaching four billion for fiscal 1951. Stress was placed on the glaring discrimination and tremendous financial drain suffered by New York State taxpayers under these Federal-aid programs which we were importuned by this resolution to revise to remove the resulting inequities.

I feel reasonably sure that Governor Dewey and the New York State officials would agree with my position on this legislation but if not, with all due deference I must insist that I feel responsible for taking such action as my own conscience, not that of someone else, may dictate.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, of course everyone admits that we must have highways, but it seems futile to attempt to build highways unless we have some more stringent regulations as to their use.

Driving from Washington to Michigan and also on the return trip, about 675 miles, a tally was kept of the passenger cars on the return trip and of the trucks on the highways. Much to my amazement, on the return trip it was learned that the trucks—and this is almost unbelievable—exceeded in number the passenger cars that met and passed us each way.

This also was learned, that in the villages and towns and cities where pavement had been laid some years ago and was of lighter construction, it was almost completely broken up; that only on the turnpike and perhaps one other stretch of road in Ohio was the pavement what might be now termed passable, usable.

Trucks on the highways apparently are growing larger each year and certainly their speed is increasing. Some trucks at least approximating in weight some of the freight cars.

One member of the State police, commenting upon the subject—and of course I cannot vouch for his accuracy, giving only what he said—stated that the blocks on the turnpike, if one watched them when there was a light rainstorm or when the blocks were wet, those large blocks tilted at the joints, spraying water when some of these trucks went over them.

If that is the condition, and those of you who travel on the main highways are as able as I am to judge, if that is the condition, and it appears to be, have we not reached the time when we must do something to limit the weight and the number of the trucks or build a special roadway for them?

It was only last fall, as I recall, when, coming down the turnpike, there was anywhere from a quarter to a half mile

of trucks lined up on the side of the highway. Evidently the State police had found the method of calling into the courts, those who were driving overweight vehicles on the highway and having them fined or occasionally imprisoned ineffectual to stop that practice. So these trucks were lined up, and many of them were being forced to unload before they would permit them to proceed. You can imagine what damage that was to the perishable freight.

That seemed to be the only effective way of controlling that practice of overloading which it was charged was destroying our highways, both State and federally built, to prevent their destruction by those who are using the highways for traffic lanes.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Missouri.

Mr. SHORT. Everything the gentleman has said is absolutely true, which is the strongest argument for this bill. Instead of \$500,000,000, it should be \$1,000,000,000.

Mr. HOFFMAN of Michigan. Oh, well, why not make it \$10,000,000,000? Why not make it \$12,000,000,000? That kind of argument coming from that source is most surprising. What are the foundations of the gentleman's argument? Only that tax money is unlimited.

I have heard the gentleman express his opposition to appropriations abroad because we have to limit our contributions, because there is a bottom to the barrel somewhere; as to all other sources of supply of anything there is a bottom somewhere.

The gentleman is voicing the old fallacious argument, which I have so many times heard him so eloquently demolish, to wit, that the Federal Government has an inexhaustible source of supply—that there is no limit to the number of dollars that can be collected from taxpayers.

That, as the gentleman himself has often said, is errant nonsense.

If the gentleman is now correct, why not build four-lane highways on the main traveled routes throughout the country? Why not at least a black-top road to every farmhouse?

All are desirable. There is just one reason for not undertaking that program and that is that the money is not available and it cannot with safety to our Nation be made available.

I am not objecting to good highways. Of course, we should have them. The point, and the only point, which I am trying to make is that we should, by some fair and adequate means, at least make some effort to preserve the highways we have, to limit the use of the highways we build, in such manner that they will not be destructively used.

A highway can only sustain a certain load, the amount of which can be easily and accurately determined by engineers and experts.

I am not arguing that the trucks do not contribute by way of tax and license fees a fair sum for the use they make of the highways, for I lack the information

to express a worth-while opinion on that subject.

Permit me to express a doubt that some others who do express opinions on that topic have adequate information.

The point which I am arguing is—and I repeat—that, inasmuch as we all know that the highways will not withstand the pounding they get from ever-increasing loads, the Federal Government make a study of this subject; then build a highway which can adequately carry and withstand the traffic load which is permitted to travel over it.

A truck carrying a load equal to that of some freight cars certainly must be limited as to speed, and it must have a track which is equal to the burden of carrying the load.

Ordinary observation and common sense convince the observing and the thinking individual that highways built for passenger cars and light trucks at moderate speed cannot, with safety to the public or proper conservation of the roadway, be traveled by trucks carrying freight-car loads at express-car speed.

Let us get as much out of the dollar expended for highway purposes as we possibly can. That procedure means more and better roads for everyone.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close in 20 minutes, with 5 minutes reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SHORT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we all admire the ability and relish and appreciate the keen wit, and at times biting sarcasm and irony, of our good friend the gentleman from Michigan [Mr. HOFFMAN]. Those of us who have been privileged to travel through Germany, which is not as large as the State of Texas, but which has 70,000,000 people, have been impressed with her superhighways, the autobahns. Regardless of what we think, however much we might despise and hate Hitler, he did one magnificent job in building autobahns all the way from Friedrichshafen and Mannheim down through Stuttgart and Karlsruhe to Munich, and then up north to Frankfurt, Cologne, and across to Bremen and Hamburg, and down to Berlin, Dresden, and Leipzig, to Hannover and Nuremberg—all over the land, without a single lane coming into the main highway; all overheads and underpasses.

His great mistake was that he neglected his railroads.

I was amazed to find 20 years after being a student in Germany they had the same old rolling stock as when I was a student there. But everyone knows that the building of double-lane highways with a parkway between them, beautiful and not cluttered up with a lot of signs and advertisements, contributes much to the strength of a nation. If there is one thing in which we make a sound, solid investment, I think it is in the construction of roads in this country, which are so lamentably short and in such poor condition.

When you build highways there is absolutely no politics or discrimination involved. Old dealers, New Dealers, Democrats, Republicans, everybody drives over the highways. Every single Member of the Congress, whether you live 50 miles from Washington or 2,500 miles, drives over these highways. Some of our Members have been killed, too, in trying to get back to their duties here in the Capitol. Of course, I believe in economy, may I say to my friend, the gentleman from Michigan. Of course, I have voted against the dishing out of Government largess, particularly to the sending of checks to places where you need to be reelected. I know the Federal Government has been going into Missouri, and they are going into Illinois, and they will even go out to Wyoming and Idaho. They will collect \$1,000,000 from you in taxes and then after taking their toll here in Washington, they will send one-third of that amount back to you in checks, a few weeks before election, to keep themselves in power. It is a big brokerage fee.

No one is against that sort of practice more than I am. But here we have something that is sound, sane, sensible, and constructive. The able gentleman from Mississippi [Mr. WHITTINGTON], who does not aspire to come back to the House of Representatives, and who is retiring after these many years of useful service, needs to be listened to, because he spelled it out here.

In answer to my good friend, the gentleman from New York [Mr. KEATING], if you will study the table which is given in the report of the committee, I think the allocation to the different States is fair and equitable. Whether you are from New York or Missouri, when you drive across the country, of course you want good highways and you want bridges. This committee is composed of good men. They have carefully and cautiously considered every item in the bill. As I understand, it was reported unanimously as a result of the close cooperation between the able chairman [Mr. WHITTINGTON] and our distinguished and able friend from Michigan [Mr. DONDERO]. I do not see that there should be any opposition to this bill, and I repeat, instead of providing for \$500,000,000, which today does not mean more than \$200,000,000 did 15 years ago, it should be much a larger amount. The Eightieth Congress voted \$1,500,000,000 for good roads; \$500,000,000 a year for 3 years and that was when we Republicans were in control.

I hope we vote on it shortly and pass it overwhelmingly.

The CHAIRMAN. The gentleman from Michigan [Mr. CRAWFORD] is recognized.

Mr. CRAWFORD. Mr. Chairman, I wish to use this 5 minutes discussing this bill and the question of roads and trails.

First, I wish to ask the chairman of the committee to tell us as briefly as possible so as to conserve time, from what source the \$1,000,000,000 will come which is provided for in this bill for June 30, 1952, and June 30, 1953? In other words, do I understand that the States will have to match the Federal Government to the extent of 50 percent of this figure?

Mr. WHITTINGTON. For the year 1949 the Federal Government collected \$1,326,054,091 in user taxes of which \$503,648,471 were derived from the 1½-cent Federal gasoline tax. This bill authorizes \$500,000,000 for Federal aid primary, secondary, and urban roads to be matched by the States. It also authorizes \$70,000,000 with an increased Federal share to encourage construction on the interregional system. The Federal Government pays the entire cost of roads through parks; so, I would say that the people of the United States, the road users, are providing the funds in this bill. The Federal road user taxes amount to about a billion and a half a year, and the tax on gasoline alone at 1½ cents amounts to approximately \$500,000,000 annually which is the amount of the authorization for each of the 2 years.

Mr. CRAWFORD. That answers the question: The people who use the roads pay for the roads.

A few months ago we had a steel strike in this country. To keep the automobile factories running in the great State of Michigan it was necessary for the automobile manufacturers to use trucks and airplanes and railroads day and night pushing everything to the maximum to get steel on hand to accommodate payrollees working in the factories during the steel strike so that the automobile business would not have to shut down on account of the steel strike. We had a coal strike; we had a railroad strike a few days ago; and let me say something to all the Members of this House: We are not going to take the trucks off the highways of the United States now or later. Anybody ought to know that who knows anything about the economy of the country; anybody who thinks at all ought to know that the railroads alone cannot serve the economy of the United States.

Anybody ought to know we will have to build stronger roads and wider roads and more roads in order to accommodate the traffic of the United States if we are going to pay 50 percent of the obligations that we have agreed to pay.

The trucks that use the highways pay for the use of those highways, else you can place the responsibility right with the State public utilities commissions who control those trucks. There is no point in getting up here and kicking about the trucks using the highways. I have shipped too many goods all over this country by rail, air, and trucks. So rather than conceding to anybody that you are going to reduce the trucks that use the highways, I say you are going to put more trucks on the highways. If this Congress exercises good judgment in peacetime it will build highways that will accommodate tourist cars and trucks. In wartime, in time of emergency, when there are strikes in our great basic industries, we need these roads, and my friend and colleague, the gentleman from Michigan [Mr. HOFFMAN] knows that just as well as I do.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Why, sure, I know we need military highways.

Does the gentleman know what happened in Germany? The gentleman from Missouri spoke about the highways that Hitler built, and then told how his enemies came in and got into the very heart of the country. I have no grievance against the trucks except I want them to pay their fair share.

Mr. CRAWFORD. They are doing that.

Mr. HOFFMAN of Michigan. That is what the gentleman says.

Mr. CRAWFORD. I say they are doing that or the responsibility lies at the desk of the State public utilities commission. We do not regulate the trucks with respect to the amount they pay for a permit. Congress passes the laws which gives the trucks a chance to apply for an interstate permit so that they may cross State lines. We do not assess for the license plates that they have on that truck. The State public utilities commissions and the Federal regulatory commission assess the charges.

Mr. HOFFMAN of Michigan. Does not the gentleman think the trucks are giving the railways that furnish their own rights-of-way some pretty severe competition just now?

Mr. CRAWFORD. The demands of the traffic in the United States which supports the truck industry create a competitive condition with the railroads, so do the airlines create a competitive condition, so it is the waterways create a competitive condition, but nowhere among all those services have you enough transportation service today to serve the people of this country with expedition if strikes occur or if war is on.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, replying to the gentleman from Michigan with respect to large trucks and large loads may I say that the States pay one-half of the cost of the Federal-aid highways. The States regulate the size of the trucks. A Member of Congress told me two weeks ago Sunday that in coming home he passed in one place a line of about 100 trucks, as he estimated, that were stopped by the authorities of Virginia because they were overloaded. The States levy taxes dependent upon size on trucks and buses. The authorities of the State of Virginia arrested and fined the operators of trucks violating State laws. So do authorities of other States. We want the laws enforced, but the enforcement of those laws and the policing of those highways is with the States.

Mr. Chairman, with respect to the matter of Federal aid and with respect to some States paying more than they receive under the terms of this bill, there have been from time to time a few from several of the States who have opposed Federal aid. There have been some from New York, but what would the people of New York City do if they were not supported by the purchase of their manufactures by the people of the United States? The Union Pacific Railroad, as I recall, is located west of the Mississippi River, yet New York City gets credit for the income taxes that railroad pays, as the main offices and domicile of

the corporation are in New York. Many income and other Federal taxes are collected in New York, but they are based upon earnings in other States. Taxes on automobiles are collected in Michigan, but the people of other States pay the taxes. Michigan, like New York, gets credit for taxes that are paid in those States, but really earned in other States.

What about North Carolina? What about Virginia? No complaint about Federal aid comes from those and other States. Who pays the taxes that are collected in North Carolina on cigarettes and tobacco? While collected in North Carolina, while collected in New Jersey and Connecticut for insurance, fire, and life, while collected in Pennsylvania on steel, who pays the taxes that are remitted to the Federal Treasury from these States? Of course the answer is that the people of all the States pay taxes that are collected in North Carolina, Virginia, Pennsylvania, New York, and other States.

For practically 20 years I have heard highway commissioners from practically every State in the United States from time to time. I have heard the few who oppose the money who advocate Federal aid and every 2 years I have seen the Congress of the United States overwhelming, if not unanimously, endorse the proposals of this bill. I think Congress was sound in making that endorsement.

There are no toll roads in this bill that are contributed to by the Federal Government.

In conclusion, permit me to say with respect to the contract features emphasized by my good friend, the gentleman from New York [Mr. TABER], if his contention were to prevail before any mile of road could be constructed in Georgia or in New York there would have to be a hearing before the Committee on Appropriations to determine whether or not that committee would approve the particular road. Under the terms of this bill, tried and tested under a procedure approved by the superintendent of roads of the State of New York, under the administration of Governor Dewey, the best method of the selection of roads has been worked out and tested over a period of more than 25 years, or since the enactment of the original act in 1921.

For my part, and I believe I speak for all the people of the United States, we would rather that the State highway department, with the approval of the Commissioner of Public Roads, select the roads than that any committee or subcommittee of the Appropriations Committee of the Congress select them, because, among other good reasons, the States pay one-half the cost. I know that the terms of this bill, every provision in this bill, have been tried out. The sum of \$500,000,000 was authorized in 1944.

The two members in the other body who insisted on reducing that to \$450,000,000 after the House had passed it at \$500,000,000 in 1948 under the administration of my good friend George DONDERO, then chairman of the committee on Public Works in the House, than whom there is no finer man or no more valuable Member of Congress—when it

went to the other body, the pseudo-advocates of economy were destructive of real economy. The two men on that conference committee who insisted upon reducing that authorization, in the face of the fact that a road that now costs \$55,000,000 cost \$20,000,000 16 years ago, were defeated in the very next election that followed the approval of that conference report in 1948.

I know of no more satisfactory public work, and in all my experience, and I have piloted practically every Federal-Aid Highway Act through this House for the past 18 years, I have never submitted for your consideration a more constructive act, an act fairer to all the people and to all the States of the United States than the bill under consideration, which I trust will be passed.

Mr. ANGELL. Mr. Chairman, I rise in support of H. R. 7941 which is the bill to amend and supplement the Federal-Aid Road Act, approved July 11, 1916, as amended. I am a member of the Public Works Committee which considered this bill and it was reported unanimously by the committee after extensive hearings and careful consideration by the committee. While the Public Works Committee desires to cooperate in a program of economy in order to curtail so far as possible public expenditures and keep the Federal budget in balance, yet after due consideration it felt that it could not, in deference to the welfare of the Nation, eliminate the necessary authorization for expenditures for the public roads of the United States. This bill merely carries out a program that has been in existence since 1921 providing Federal aid for construction of the highway system throughout the Nation. As a matter of fact appropriations authorized by this bill, while in dollars a little in excess of those heretofore appropriated annually, in road-construction accomplishment it is less than is usually appropriated by reason of the shrinkage in the construction dollar. As you are aware, it takes approximately \$3 now to provide road construction that could be secured with \$2 before the war.

Furthermore revenues from Federal gasoline, oil, and motor equipment taxes imposed on road users exceeds these moneys authorized for roads. In fact these taxes pay into the Federal Treasury almost three times as much as is authorized by this bill. As was pointed out by our chairman, a country without roads is a country which has never developed. Nations which provide for essential highways are nations which are in the forefront in civilization. With the advance in the construction of automobiles, trucks, and other motor vehicles, the necessity for good roads becomes essential. In fact, motorists who provide the funds by reason of the taxes levied on automobile equipment, gasoline, and oil are happy to do so if the funds thus procured are utilized in providing adequate roads for motor travel.

During the war, owing to the cessation of road construction except that necessary for the prosecution of the war, we lagged behind in keeping our highways abreast of the needs of the Nation. In fact, the roads have been wearing out

faster than replacement by new construction. We could well afford to authorize double the amount carried in this bill, and by so doing we would still lag behind in bringing the highway system of America up to standard and adequate for carrying the highway traffic.

While it is true trucks are using our highways extensively for the transportation of freight, not only between cities but for transcontinental traffic, the trucks are paying their way and are contributing to the Federal Treasury much larger sums than those needed to provide adequate highways for such traffic.

As reported by the committee, section 1 of the bill authorizes the appropriation of \$500,000,000 for each of the fiscal years ending June 30, 1952 and 1953. It divides the amount authorized for each of said fiscal years into three categories, namely, \$225,000,000 for projects on the Federal-aid primary highway system, \$150,000,000 for projects on the Federal-aid secondary highway system, and \$125,000,000 for projects on the Federal-aid highway system in urban areas. It provides that said sums, respectively, for each fiscal year shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal Aid Highway Act of 1944. However, the provision in section 4 (b) of the Federal Aid Highway Act of 1944, respecting the apportionment of the funds authorized by said act for secondary and feeder roads, requires that the population shown by the Federal census of 1940 shall be used. Since it is possible that population figures from the Federal census of 1950, which is now being taken, may be available by the time the first apportionment under the bill is made, provision has been inserted in section 1 that the census figures used shall be those shown by the latest available Federal census. This change makes the population figures that shall be used in apportioning funds for secondary roads the same as those required by section 4 (c) of the Federal Aid Highway Act of 1944 with respect to the apportionment of the funds therein provided for urban areas—that is, those shown by the latest available Federal census.

In addition to the foregoing, section 2 (a) of the bill would authorize the appropriation of the additional sum of \$70,000,000 for each of the fiscal years 1952 and 1953 for expediting the construction, reconstruction, and improvement of the national system of interstate highways. This is the first instance in which Congress has recognized the national system of interstate highways by authorizing an appropriation for expenditure exclusively on said system. This subsection provides that the sum authorized for each fiscal year shall be apportioned among the States in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, but that no State shall receive less than three-fourths of 1 percent of the sum apportioned for each fiscal year. It further provides that any State may use its apportionment of any funds now or hereafter authorized for

expenditure solely on the national system of interstate highways either to finance projects on said system on the regular matching basis, or to increase the Federal payment by one-half of the State's pro rata of the cost of any such project financed on the regular matching basis from Federal primary or urban funds. In other words, in a State in which the Federal pro rata is 50 percent, it would make it possible to finance a project on a 50-50 basis with regular primary or urban funds, and to increase the Federal share above the 50 percent pro rata by as much as one-half of the State's 50 percent.

Subsection (b) of section 2 provides that any State that may issue bonds and use the proceeds thereof for the construction of toll-free facilities in order to accelerate the improvement of the national system of interstate highways may apply any part of its apportionment of the funds now or hereafter authorized for expenditure on said system of highways for retiring the annual maturities of the principal indebtedness of such bonds. However, the facility constructed with the proceeds of such bonds would have to be constructed in accordance with plans and specifications approved in advance by the Commissioner of Public Roads. A further safeguard is provided by requiring that payments to any State pursuant to this subsection shall be made exclusively from the State's apportionments of funds authorized for expenditure on such system of highways, and that the provision for such payments authorized by this subsection shall not be construed as a commitment or obligation on the part of the United States to provide such funds.

The bill also provides for park roads and trails which lie exclusively within federally owned lands, and therefore should be constructed and maintained by the Federal Government.

In the Pacific Northwest, where large stands of marketable timber still exist, there is critical need of the construction and maintenance of adequate forest highways not only to protect the forests, a large percentage of which is owned by the Federal Government, but also to permit the marketing of forest products as the timber becomes ripe and available for marketing.

This bill covers a period of 2 years, which, with the existing authorization remaining 1 year, makes a 3-year period, which is necessary to permit the States to formulate programs and enact the necessary legislation to secure matching funds to meet these requirements. Without an extended period of this kind it would be impossible for the various States of the Union to meet the matching provisions and provide the necessary funds to enable them to carry on a continuous program of road construction.

Mr. Chairman, I feel that this bill is a good bill, one that is in keeping with program of road construction for the internal development of our Nation which have been carried on for years, and one which is more than self-supporting in that road users provide the funds to meet the payments authorized in the bill. For that reason I am glad to give it my support.

Mr. TEAGUE. Mr. Chairman, one of the greatest interests that I have had in helping to formulate legislation since coming to Congress in 1946 is to assist in every way possible to provide a Federal-aid road program which will be a progressive one to meet the ever-changing needs for our highway system. Just since World War II there have been changed conditions and the House Public Works Committee has properly provided for an authorization of expenditure for an interstate highway system to supplement the present aid to primary, secondary, and urban road construction.

H. R. 7941 authorizes the appropriation of \$500,000,000 for each of the fiscal years 1952 and 1953 and divides the amount 45 percent, or \$225,000,000, for primary roads; 30 percent, or \$150,000,000, for secondary roads, which includes our farm-to-market roads; and 25 percent, or \$125,000,000, on the Federal-aid highway system in urban areas. To this is added the additional sum of \$70,000,000 for each of the two fiscal years to expedite construction on the national system of interstate highways.

The legislatures of 45 States, which includes Texas, will meet in regular biennial session in 1951. This makes it imperative that Federal-aid funds for continuing the program of highway construction be authorized during this session of the Congress in order that funds for matching the Federal funds may be made available by the State legislatures that will be in session. The moneys to cover these authorizations are derived from the Federal gasoline tax, and the \$32,042,000 earmarked for Texas represents a return of the taxpayers' money, of which \$10,074,000 is to be used for improvement of our farm-to-market roads.

Mr. Chairman, I urge the favorable consideration of this legislation, H. R. 7941, and hope that it will pass unanimously.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7941) to amend and supplement the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, pursuant to House Resolution 565, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. KEATING. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KEATING. I am, Mr. Speaker.

The **SPEAKER**. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. **KEATING** moves to recommit H. R. 7941 to the Committee on Public Works with instructions to report the same back forthwith to the House with the following amendment:

On page 1, line 7, strike out "\$500,000,000" and insert "\$400,000,000."

On page 2, line 3, strike out "\$225,000,000" and insert "\$180,000,000."

On page 2, line 5, strike out "\$150,000,000" and insert "\$120,000,000."

On page 2, line 10, strike out "\$125,000,000" and insert "\$100,000,000."

Mr. **WHITTINGTON**. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The **SPEAKER**. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. **KEATING**) there were—ayes 24, noes 113.

So the motion to recommit was rejected.

The **SPEAKER**. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. **TABER**) there were—ayes 140, noes 13.

Mr. **TABER**. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The **SPEAKER**. The Chair thinks a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 246, nays 34, not voting 152, as follows:

[Roll No. 170]

YEAS—246

Abernethy	Christopher	Grant
Addonizio	Clemente	Green
Allen, La.	Clevenger	Gregory
Andersen,	Colmer	Gross
H. Carl	Combs	Hagen
Andersen,	Cooper	Hale
August H.	Corbett	Harden
Andrews	Cox	Hardy
Angell	Crawford	Hare
Aspinall	Crook	Harris
Auchincloss	Crosser	Harrison
Barrett, Wyo.	Cunningham	Havener
Bates, Ky.	Curtis	Hays, Ark.
Battle	Davis, Tenn.	Hays, Ohio
Beall	Davis, Wis.	Hedrick
Beckworth	Delaney	Heffernan
Bennett, Mich.	Denton	Herlong
Bentsen	D'Ewart	Hill
Biemiller	Dollinger	Hoffman, Ill.
Bishop	Dondero	Holmes
Eackney	Donohue	Hope
Blatnik	Doughton	Horan
Boggs, Del.	Eberhart	Howell
Boggs, La.	Elliott	Huber
Bolling	Ellsworth	Hull
Bolton, Md.	Evins	Jackson, Wash.
Bosone	Fallon	Javits
Breen	Fellows	Jenkins
Brehm	Flood	Jensen
Brooks	Fogarty	Johnson
Brown, Ga.	Forand	Jonas
Bryson	Ford	Jones, Ala.
Buckley, Ill.	Fugate	Jones, Mo.
Burdick	Fulton	Jones, N. C.
Burke	Furcolo	Karst
Burleson	Garmatz	Karsten
Burnside	Gary	Kee
Byrnes, Wis.	Gathings	Kelley, Pa.
Cannon	Golden	Kelly, N. Y.
Carnahan	Gordon	Kerr
Carroll	Gorski	Kilday
Chelf	Gossett	King
Chipfield	Granger	Lane

Lanham	O'Hara, Minn.	Steed
Larcade	O'Konski	Stefan
Lenke	O'Neill	Stockman
Lesinski	O'Sullivan	Sullivan
Lind	O'Toole	Sutton
Linehan	Patman	Tackett
Lovre	Patten	Talle
McCarthy	Perkins	Tauriello
McCormack	Peterson	Teague
McCulloch	Philbin	Thomas
McGregor	Pickett	Thornberry
McGuire	Poage	Tollefson
McMillan, S. C.	Polk	Trimble
Mack, Ill.	Preston	Underwood
Mansfield	Price	Van Zandt
Marcantonio	Priest	Velde
Marsalis	Rains	Vinson
Marshall	Ramsay	Vorys
Martin, Mass.	Rankin	Vursell
Mason	Redden	Walter
Meyer	Reed, Ill.	Welchel
Michener	Rees	Werdell
Miller, Md.	Regan	Wheeler
Miller, Nebr.	Robeson	Whitaker
Mills	Rodino	Whitten
Mitchell	Rogers, Fla.	Whittington
Morris	Rogers, Mass.	Wier
Morrison	Rooney	Williams
Moulder	Sanborn	Willis
Multer	Sasser	Wilson, Ind.
Murdock	Saylor	Wilson, Okla.
Murray, Tenn.	Scrivner	Wilson, Tex.
Murray, Wis.	Shelley	Winstead
Nelson	Short	Withrow
Noland	Simpson, Ill.	Wolcott
Norblad	Smith, Kans.	Wolverton
Norrell	Smith, Va.	Yates
Norton	Smith, Wis.	Young
O'Brien, Ill.	Spence	Zablocki
O'Brien, Mich.	Stanley	

NAYS—34

Bates, Mass.	Hoffman, Mich.	Sadlak
Canfield	James	St. George
Cole, N. Y.	Kean	Shafer
Coudert	Keating	Simpson, Pa.
Dague	Kunkel	Taber
Elston	Latham	Towe
Fenton	LeFevre	Wadsworth
Gamble	Lucas	Wagner
Gavin	Nicholson	Wigglesworth
Goodwin	Reed, N. Y.	Woodruff
Graham	Ribicoff	
Hesilton	Rich	

NOT VOTING—152

Abblitt	Fisher	Mack, Wash.
Albert	Frazier	Macy
Allen, Calif.	Gillette	Madden
Allen, Ill.	Gilmer	Magee
Anderson, Calif.	Gore	Mahon
Arends	Granahan	Martin, Iowa
Bailey	Guill	Merron
Barden	Gwinn	Miles
Baring	Hall	Miller, Calif.
Barrett, Pa.	Edwin Arthur	Monroney
Bennett, Fla.	Hall	Morgan
Bolton, Ohio	Leonard W.	Morton
Bonner	Halleck	Murphy
Bonner	Hand	Nixon
Bramblett	Hart	O'Hara, Ill.
Brown, Ohio	Harvey	Pace
Buchanan	Hebert	Passman
Buckley, N. Y.	Heller	Patterson
Bulwinkle	Herter	Pfeifer
Burton	Hinshaw	Joseph L.
Byrne, N. Y.	Hobbs	Pfeiffer
Camp	Hoever	William L.
Carlyle	Hollifield	Phillips, Calif.
Case, N. J.	Irving	Phillips, Tenn.
Case, S. Dak.	Jackson, Calif.	Plumley
Cavalcante	Jacobs	Potter
Celler	Jenison	Poulson
Chatham	Jennings	Powell
Chesney	Judd	Quinn
Chudoff	Kearney	Rabaut
Cole, Kans.	Kearns	Rhodes
Cooley	Keefe	Richards
Cotton	Kennedy	Riehlman
Davenport	Keogh	Rivers
Davies, N. Y.	Kilburn	Roosevelt
Davis, Ga.	Kirwan	Sabath
Dawson	Klein	Sadowski
Deane	Kruse	Scott, Hardie
DeGraffenried	LeCompte	Scott,
Dingell	Lichtenwalter	Hugh D., Jr.
Dolliver	Lodge	Scudder
Douglas	Lyle	Secrest
Doyle	Lynch	Sheppard
Durham	McConnell	Sikes
Eaton	McDonough	Sims
Engel, Mich.	McGrath	Smathers
Engle, Calif.	McKinnon	Smith, Ohio
Feighan	McMillen, Ill.	Staggers
Fernandez	McSweeney	Stigler

Taylor	White, Calif.	Wood
Thompson	White, Idaho	Woodhouse
Walsh	Wickersham	
Welch	Widnall	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Abblitt for, with Mr. Riehlman against.
Mr. Mack of Washington for, with Mr. Taylor against.

Mr. Stigler for, with Mr. Jenison against.
Mr. Gilmer for, with Mr. Lodge against.
Mr. Secrest for, with Mr. Cotton against.
Mr. Hebert for, with Mr. Macy against.
Mr. Roosevelt for, with Mr. Herter against.
Mr. Klein for, with Mr. Widnall against.
Mr. Heller for, with Mr. Plumley against.
Mr. Keogh for, with Mr. Eaton against.
Mr. Chatham for, with Mr. Gillette against.

Until further notice:

Mr. Murphy with Mr. Allen of California.
Mr. Feighan with Mr. Arends.
Mr. Sabath with Mr. Brown of Ohio.
Mr. Miller of California with Mr. Jackson of California.
Mr. Morgan with Mr. Allen of Illinois.
Mr. Frazier with Mr. Judd.
Mr. Jacobs with Mr. Kearney.
Mr. McSweeney with Mr. Scudder.
Mr. Irving with Mr. Poulson.
Mr. Hart with Mr. William L. Pfeiffer.
Mr. Granahan with Mr. Dolliver.
Mr. Barrett of Pennsylvania with Mr. Anderson of California.

Mr. Chudoff with Mr. Jennings.
Mr. Cavalcante with Mr. Kearns.
Mr. Rabaut with Mr. Hardie Scott.
Mr. Rhodes with Mr. Hand.
Mr. Joseph L. Pfeiffer with Mr. Halleck.
Mr. Bailey with Mr. Leonard W. Hall.
Mr. Baring with Mrs. Bolton of Ohio.
Mr. Davenport with Mr. Engel of Michigan.
Mr. deGraffenried with Mr. Cole of Kansas.
Mr. Bennett of Florida with Mr. Gwinn.
Mr. Dingell with Mr. Hoeven.
Mr. Buchanan with Mr. Nixon.
Mr. Doyle with Mr. Case of New Jersey.
Mr. Lynch with Mr. Case of South Dakota.
Mr. Davis of Georgia with Mr. Edwin Arthur Hall.

Mr. Engle of California with Mr. Harvey.
Mr. Fisher with Mr. Hinshaw.
Mr. Kruse with Mr. Potter.
Mr. O'Hara of Illinois with Mr. Phillips of Tennessee.
Mr. Sadowski with Mr. Phillips of California.

Mr. Sikes with Mr. Patterson.
Mr. Sims with Mr. Morton.
Mr. Smathers with Mr. Hugh D. Scott, Jr.
Mr. Walsh with Mr. Bramblett.
Mr. Wickersham with Mr. Keefe.
Mr. Wood with Mr. LeCompte.
Mrs. Woodhouse with Mr. McDonough.
Mr. Magee with Mr. Lichtenwalter.
Mr. Madden with Mr. McConnell.
Mr. McKinnon with Mr. Martin of Iowa.
Mr. McGrath with Mr. Merron.
Mr. Deane with Mr. McMillen of Illinois.
Mr. Burton with Mr. Smith of Ohio.
Mrs. Douglas with Mr. Guill.

Mr. **FENTON** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. **WHITTINGTON**. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the highway bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

DEFICIENCY APPROPRIATION BILL, 1950

Mr. KERR, from the Committee on Appropriations, reported the bill (H. R. 8567) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1950, and for other purposes (Rept. No. 2113), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1951

Mr. BATES of Kentucky, from the Committee on Appropriations, reported the bill (H. R. 8568) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1951, and for other purposes (Rept. No. 2114), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. STOCKMAN reserved all points of order on the bill.

COMMITTEE ON FOREIGN AFFAIRS

Mr. KEE. Mr. Speaker, on behalf of the Committee on Foreign Affairs, I ask unanimous consent that I may have until midnight tonight to file a conference report and statement on the bill (H. R. 7797) to provide foreign economic assistance.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

TEMPORARY APPROPRIATIONS FOR FISCAL YEAR 1950

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 476) making temporary appropriations for the fiscal year 1950, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Reserving the right to object, Mr. Speaker, this is a resolution which is tied to the bill which the gentleman from North Carolina [Mr. KERR] has just reported, and which, if adopted, will make available to the Veterans' Administration, the Federal Security Agency, and the various departments of government funds which might be necessary to meet the payrolls, the pensions, and that sort of thing, that otherwise could not be met, since it is necessary to have these funds available on the 24th of May.

Mr. CANNON. That is true. The joint resolution merely makes available for immediate needs funds carried in the deficiency bill now pending in the Senate.

Mr. NICHOLSON. Reserving the right to object, Mr. Speaker, does this appropriate any money? If so, what are the amounts and the purposes for which it is to be spent?

Mr. CANNON. No definite funds are specified here, but provision is made to take care of current needs in anticipation of appropriations provided by the coming deficiency bill.

Mr. SCRIVNER. Reserving the right to object, Mr. Speaker, would the gentleman from Missouri give the House a little more complete explanation of why a resolution such as this is necessary at this stage of the game?

Mr. CANNON. Under normal conditions, Mr. Speaker, we would have considered the deficiency bill long ago, but it could not be taken up until the general appropriation bill was disposed of and due to unexpected delays in the consideration of the general appropriation bill and the unexpected prolongation of that consideration we have not been able to reach the deficiency bill until now. If we had considered the general appropriation bill upon the date originally set for its consideration and had disposed of it in a reasonable time, this resolution would not have been necessary, but due to the unexpected delay we are reaching pay days for veterans' pensions, old-age pensions, and Federal salaries which cannot be provided in time by the belated deficiency bill.

Mr. SCRIVNER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to enable the departments, agencies, and corporations for which funds of authorizations are provided in H. R. 8567, Eighty-first Congress, the deficiency appropriation bill, 1950, to pay the compensation of civilian personnel, and the pay and allowances of military personnel, of such departments, agencies, and corporations, and to pay, or contribute toward the payment of, sums provided in said bill for the making of payments to individuals either in specific amounts fixed by law or in accordance with formulae prescribed by law: Provided, That in no event shall the amounts expended under the foregoing exceed the amounts provided in such bill as passed by the House of Representatives: Provided further, That the amounts expended under the foregoing shall be charged against the respective appropriations contained in said bill when it shall have been enacted into law: And provided further, That the Senate may

authorize, by resolution, expenditures for the fiscal year 1950, for items under contingent expenses of the Senate, for which estimates may be pending before Congress, and not acted upon, on May 17, 1950, but in no event shall such expenditures exceed the amounts of such estimates and such amounts as may be necessary for such expenditures are hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. CANNON. Mr. Speaker, due to the unexpected delay in the submission and consideration of the deficiency appropriation bill for 1950, we find current appropriations will be exhausted on the 24th of this month and there will not be sufficient funds for the payment of veterans' pensions due on that date. It is estimated by the end of the fiscal year we will require \$220,000,000 additional for veterans' pensions. Under this joint resolution there will be expended approximately \$35,000,000 before the deficiency bill becomes law.

The funds from which old-age pensions are to be paid have also been depleted and we will be unable to meet the payments due the first of the coming month. About \$40,000,000 will be required for that purpose by the time the deficiency bill can be messaged to the President.

In addition, there is another item seldom called to attention, but which is important, embracing funds for the payment of witnesses in the Federal courts. We will require an additional \$185,000 between now and the end of the fiscal year to provide for payment of witnesses. Grand juries are now in session, and their work will be seriously hampered if funds are not provided to pay expenses of their witnesses.

And last, Mr. Speaker, during the first session of the Eighty-first Congress, we passed 15 bills amending the pay acts—15 bills increasing salaries. This increase in expenses was, of course, unforeseen and could not be provided for in the annual bill, and consequently employees cannot be paid for the coming month unless the deficiency is provided.

In order to take care of these immediate and urgent needs, Mr. Speaker, estimated to require in the aggregate approximately \$155,185,000, the Committee on Appropriations submits the pending resolution.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

EXTENDING THE RUBBER ACT OF 1948

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 568) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7579) to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COX. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this resolution simply provides for the consideration of H. R. 7579, which itself provides for the extension of the Rubber Act of 1948 for 3 years.

The Rubber Act of 1948 expires on June 30 of the present year. During World War II the Government expended approximately \$700,000,000 to construct synthetic-rubber facilities. At the end of hostilities we were capable of producing 900,000 long tons of synthetic rubber per year. There still remains in Government ownership, facilities capable of producing above 850,000 long tons of synthetic rubber.

The committee reporting this bill in its report has this to say:

It is the unanimous conclusion of the Armed Services Committee that world conditions at this time do not warrant the disposal of any of the synthetic-rubber facilities in the present Government rubber program. The committee agrees completely with the principle of free enterprise and strongly endorses the eventual turning over of the Government-owned facilities for the production of synthetic rubber to private industry, but it is of the opinion that such a course of action is not in the best interests of national security at this time.

Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. WADSWORTH], a member of the Rules Committee.

Mr. WADSWORTH. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. KILBURN].

PERSONAL EXPLANATION

Mr. KILBURN. Mr. Speaker, on the last roll call I did not hear my name called. I ask unanimous consent that I be recorded in opposition to the passage of the bill.

The SPEAKER pro tempore (Mr. PRIEST). May the Chair state the gentleman can make that statement for the RECORD, but unless the gentleman was present and voting, he cannot, under the rules, show that he answered to the roll call.

EXTENDING THE RUBBER ACT OF 1948

Mr. WADSWORTH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I am in favor of this rule and I am in favor of this bill. I do not know of an operation of the Government which has been carried on during the past 15 or 20 or 25 years that has proved any more beneficial or which has operated any more satisfactorily to the consumers of this country than has been the administration of the synthetic rubber program generally.

Since the war closed in July 1945, the people of this country have had the great privilege of re-tiring their old cars and of purchasing millions of new tires and cars without having to pay anything like an exorbitant price for rubber tires on automobiles and trucks. This has been the direct result of the establishment during the war of the synthetic rubber industry in this country, which cost our people something like \$750,000,000, and which created a capacity of synthetic rubber production in excess of 900,000 tons of rubber per year. That domestic production made our people independent of the purchase of rubber in great quantities from the so-called British, Dutch, and French rubber trusts of the Malay Straits of the Far East. Synthetic rubber has been available during these postwar years at a price of 17 cents to 18 cents plus per pound. That is cheap rubber in any man's country today.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. VINSON. I call to the gentleman's attention the fact that the rubber market on natural rubber per pound is 25 cents and on synthetic rubber per pound is 18½ cents.

Mr. CRAWFORD. The gentleman is correct. We do not have to have all of our rubber requirements in the form of raw rubber; synthetic rubber has progressed to a point where in many instances and for many purposes it is more acceptable to our people than is the natural product.

The Far East is many, many miles from the United States rubber-consuming market. We are the greatest consumers of rubber in the world. As the gentleman from Georgia [Mr. Cox] pointed out awhile ago, many of those who support this rule and who will support the bill are in favor of private enterprise in synthetic-rubber operations, but I think both the Committee on Rules and the Committee on Armed Services believe that this is not the opportune moment to transfer these synthetic-rubber plants to private ownership on the basis which has been requested.

Mr. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. JOHNSON. I was glad to hear the gentleman say that he favored this bill. Several years ago we had a very exhaustive investigation of the rubber problem and our needs. I was a member of the subcommittee and had the pleasure of hearing the gentleman from Michigan make some comments on the rubber situation. Apparently, the gentleman from Michigan has made a very exhaustive study of rubber problems. I should like to have him make just a

brief comment as to whether or not he thinks carrying out this program proposed by this bill will finally make us almost independent of the markets from five to six thousand miles away from the United States.

Mr. CRAWFORD. I think the program which has been carried out and which is now in operation would make us, for all practical purposes, absolutely independent of the far eastern rubber producing area. But there is another element in this situation which comes in through the State Department and through our international relations which operates contrary to that possibility. By that I mean that many of our departments of Government, and perhaps the administration, are very much in favor of our purchasing raw rubber in quantities from the Far East in order to put dollar exchange in the hands of those people over there. The gentleman from California has raised a question which gets into the whole relationship between the United States and the countries constituting southeastern Asia and the new United States of Indonesia. We are moving in the direction of very substantially supporting those countries through funds such as ECA or Marshall plan funds, or funds in that general classification, such as Export-Import Bank credits, and so forth.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. WADSWORTH. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. CRAWFORD. The question we will face as rubber consumers is whether or not we desire to produce the great quantity of tonnage of rubber we consume in peacetime or whether we want to go to the Far East and purchase natural rubber, holding down the production of synthetic rubber and spending our dollars in the Far East.

Mr. JOHNSON. Does not the gentleman believe that this will give us practical independence of foreign markets and greater defense protection?

Mr. CRAWFORD. I think so.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. WHITE of Idaho. The gentleman mentioned 850,000 tons of synthetic rubber capacity. Can the gentleman tell the committee to what extent our petroleum resources are depleted by such production? I understand that the principal ingredients for synthetic rubber come from petroleum. How much will the production of 850,000 tons a year of synthetic rubber injure our petroleum resources?

Mr. CRAWFORD. Let me point out to the gentleman that we are not producing at that rate—

Mr. WHITE of Idaho. Suppose we did.

Mr. CRAWFORD. Therefore the drain is not so heavy on petroleum. Now, suppose we did; suppose we could not get any rubber from the Far East and that we had to shove our synthetic production to the maximum using petroleum products for the production of the synthetic

rubber; if the petroleum production began to grow scarce we could then switch into the production of agricultural products from which we could draw the raw material with which to produce synthetic rubber. We have here in the United States in agriculture, or you might say in minerals from the soil and crops grown in the soil, what might be termed an unlimited supply of the basic raw materials for the production of synthetic rubber.

Mr. WHITE of Idaho. The gentleman appreciates that our petroleum resources are wasting assets, they are depleting. Rubber is something that grows annually.

Mr. CRAWFORD. That is right.

Mr. WHITE of Idaho. Would it not be better to use something we can replace than to use something that is irreplaceable?

Mr. CRAWFORD. I would like to see synthetic rubber made from agricultural products so as to take out of competition some of the surpluses in foodstuffs, such as fats, oils, and fiber, which we are now producing and which puts a load on the Federal Treasury in the form of subsidy operations and letting them go into synthetic rubber. We also have a so-called surplus of petroleum products. You have a question with which the Government departments are dealing all the time. Let me remind the gentleman from Idaho, because this is interesting to his State, that we also have in the far West or Central West or the Rocky Mountain area billions of tons of oil shale from which you can draw the basic products from which you can make synthetic rubber. So we have no shortage in that respect.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. WADSWORTH. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Nebraska.

Mr. CURTIS. The objection is raised concerning the high cost of producing rubber from surplus agricultural products.

Mr. CRAWFORD. Yes.

Mr. CURTIS. Is it not true they will never get the cost down without trying it, without putting it in motion, so that the genius of the country can really go at the business of producing low-cost alcohol and low-cost rubber?

Mr. CRAWFORD. I think there is a good deal to what the gentleman says. But at the moment you are attempting to put synthetic rubber on the market, as our distinguished chairman of the Committee on Armed Services said, at a price of around 18 to 18½ cents per pound, which is cheap rubber. We have millions of automobile users, something like forty-four or forty-five million vehicles registered in this country, who want low-cost tires, which they are getting today. Here is what I mean by that: I have on my 1941 Buick, parked out here in the lot, a set of synthetic-rubber tires, and I have driven the car with those tires 46,000 miles. Those

tires cost me less than \$17 per tire, purchased in Detroit, Mich. Now, that is tire service. They are made from synthetic rubber, which, in turn, was made from petroleum products, and the car has traveled 45,000 miles since I put them on the car.

A lot of our people are sympathetic to using agricultural products for the production of synthetic rubber. I think we should indulge in more experimentation perhaps than we are doing at the present time. I think we should have a pilot plant operating on that in order to determine exactly what can be done because I think the day will come when we will be short of petroleum products as such at which time we will switch over into the lignite field and the oil shale field. But if we do that on a big scale we will need 16,000,000 tons of steel to build the plants, we will need \$9,000,000,000 of new risk or investment capital with which to construct those plants.

Who is going to put up the \$9,000,000,000? Is the Federal Treasury going to finance it out of the general fund, borrowing the money or taxing the people, or is it to be operated in such a way that individual enterprisers will put up that risk capital or investment capital and build the plants with which to take the fuel oil from the oil shale and lignite? I think we can do that on about as low a cost basis as we can take the petroleum from the oil well. Those are the various phases of this thing.

I am sure that the Committee on the Armed Services has all of these things in mind, that its members are considering them. I think the committee has acted wisely in bringing this particular resolution and this particular bill to the floor for approval at this time so that we can take a further look into all of these things.

Mr. CURTIS. I agree with the gentleman and I am supporting the bill. I would not in any sense minimize the importance of research in the laboratory, but the way to get the cost down is through pilot plants and through actual operations.

Mr. CRAWFORD. Yes. Does the gentleman know of any individual who is willing to put up the money other than coming to the Federal Treasury to build those pilot plants, run this experiment, put the product on the market, and sell it competitively with the petroleum products?

Mr. CURTIS. Not under our present tax structure.

Mr. CRAWFORD. That is what I wanted to bring out. Now, the gentleman from Nebraska has really raised an important point.

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the bill (H. R. 7579) to extend the Rubber Act of 1943 (Public Law 469, 80th Cong.), and for other purposes, be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) subsection (a) of section 9 of the Rubber Act of 1943 (Public Law 469, 80th Cong.) is amended (1) by striking out "April 1, 1949" and inserting in lieu thereof "April 1, 1952", and (2) by striking out "January 15, 1950" and inserting in lieu thereof "January 15, 1953."

(b) Section 20 of such act is amended by striking out "June 30, 1950" and inserting in lieu thereof "June 30, 1953."

Mr. VINSON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, at the outbreak of World War II, this Nation was faced with a serious shortage of natural rubber. In fact, our natural rubber supply was so deficient that the taxpayers of this Nation spent over \$700,000,000 to build 51 complex, highly technical facilities for the manufacture of synthetic rubber. These plants were so effective that before the end of the war they had attained a capacity to produce over 900,000 long tons of synthetic rubber; they produced over 85 percent of our wartime rubber requirements.

The entire program was a magnificent demonstration of American ingenuity, industry teamwork, and above all, an everlasting tribute to American technical skill and to the American workman.

At the conclusion of the war, many of these plants were declared surplus and 18 of them were sold to private industry. These 18 plants were worth, at the time of their sale, approximately \$165,000,000. We received in return for the sale of these plants some \$57,000,000. Today, we still have in our synthetic rubber program 28 facilities. There are five other facilities that have been declared surplus, but not yet sold.

Of these 28 facilities, 17 are in actual operation, consisting of 8 copolymer plants with a total annual design capacity of 345,000 long tons, 2 butyl plants with a capacity of 68,000 long tons, 4 butadiene plants capable of producing 241,000 short tons annually, 1 styrene plant with a design capacity of 25,000 short tons, and 2 miscellaneous plants involving a pilot laboratory and a DDM plant.

These plants, in general, are operated for the Government through the Office of Rubber Reserve, Reconstruction Finance Corporation, by private rubber, chemical, and petroleum companies. They are paid a fee based upon a quantity production determined by the Government.

In addition, there are five copolymer plants with an annual capacity of 243,000 long tons and six butadiene plants with a capacity of 248,000 tons in stand-by. All told, the present Government rubber program involves a plant investment of about \$470,000,000.

The bill before this committee today would extend the Synthetic Rubber Act of 1943, which expires on June 30 of this year, for a period of 3 years. In other words, this bill would continue Government ownership of these 28 highly significant facilities, which are capable of

producing over 665,000 tons of synthetic rubber and without which this Nation could not possibly wage a successful war.

In 1948, when the temporary wartime powers which authorized allocation and specification controls were about to expire, the Congress enacted the Synthetic Rubber Act of 1948. This act provides that the President shall require the production and consumption of not less than 200,000 long tons of general-purpose synthetic and not less than 22,000 tons of special-purpose synthetic rubber annually in the United States. The law further provides that the Government shall retain the ownership of rubber-producing facilities having the capacity to produce 665,000 tons of synthetic rubber annually.

This is the law which we are asking the House to extend for another 3 years. This is the law which has proved satisfactory to all concerned and which has assured this Nation of an adequate supply of synthetic rubber. This is the law that makes us practically independent of foreign nations for our source of rubber.

The 1948 act also required the President to submit recommendations with regard to the disposal of these facilities and such other recommendations as he saw fit on January 15, 1950. In 1948 the law envisioned the possibility that world conditions might, by this time, have warranted the disposal of these facilities to private industry. In 1948 it seemed possible that world conditions might become sufficiently normal to have permitted such disposal. This was before the cold war. This was before the Berlin blockade. This was before a Navy Privateer was shot down by Russian fighter planes. This was before the Communists took over the Far East. This was before the natural-rubber-producing areas of the world were threatened with complete Communist domination.

The President submitted his recommendations on January 15, 1950, and, after careful consideration, the committee decided that the present law provides far greater security for the Nation than the President's proposals. Under the legislative recommendations of the President, there would have been no statutory minimum of required production and consumption of synthetic rubber. Under the present law, the President must require the consumption of not less than 222,000 tons of synthetic rubber.

Thus, under the present law, we have at least assured the manufacturer of a minimum production of synthetic rubber. This in turn protects the American consumer. Of even greater significance, however, is the fact that the present law requires a stated minimum of production and consumption. It is not subject to the whims and caprices of administrators concerned with foreign dollar shortages. Under the present law, no one can allow the synthetic industry to wither and die just to add a few more dollars to foreign rubber interests.

At this point, I think the House should know that natural rubber today is selling for 9 to 10 cents a pound more than synthetic rubber. Can you visualize what the price would be if we were to permit this industry to disintegrate?

The President's legislative recommendations likewise were seriously deficient in that they failed to contain a specific statutory stand-by capacity to be maintained at all times in the United States.

Note carefully that under the present law, the Government must maintain the ownership of facilities capable of producing not less than 665,000 tons of synthetic rubber. The present law is definite and emphatic. The President's recommendations were nebulous and uncertain.

In addition, the President's recommendations, in carefully worded terms, recommended the disposal of these facilities to private industry. But these recommendations were surrounded with so many qualifications and so-called safeguards that it is highly unlikely that any of the plants would have been sold. In fact, not one single rubber manufacturer who appeared before the subcommittee expressed an interest in purchasing any of these facilities under the President's proposals.

A Government witness who appeared in support of the Government's program even stated that he did not know of any company that was interested in purchasing any of these facilities. It would appear, therefore, that while the President recommended disposal, his proposal, if adopted, would have had the practical effect of turning the entire program over to the President to do with as he saw fit. Let me quote some of the language in the President's legislative recommendations:

Disposal for the production of synthetic rubber or component materials of Government-owned rubber-producing facilities shall be subject to the following:

1. Facilities for the production of general-purpose synthetic rubber or component materials thereof may be sold or leased only when, in the judgment of the President, the disposal would be consistent with the development of effective competition.

2. In disposing of facilities for the production of general-purpose synthetic rubber and component materials, every effort consistent with the objectives of this act shall be made to dispose of a maximum number of such facilities to persons determined by the President to be not dominant in their respective industries.

3. At least one facility for the production of general-purpose synthetic rubber shall be disposed of under this act to a person determined by the President to be not dominant in the rubber products industry before disposal of the other such facilities.

4. Except upon a finding by the President that such a disposal would be consistent with the development of effective competition, no person shall be permitted to purchase or lease both a Government-constructed rubber-producing facility for the production of general-purpose synthetic rubber and one for the production of butadiene, if such person is a producer of feed stocks for either butadiene or styrene or is a manufacturer of rubber products.

5. No more than one facility for the manufacture of butyl rubber shall be sold or leased for the production of butyl to a person determined by the President to be dominant in its industry, except upon a finding by the President that other disposal is impractical and that disposal to a person dominant in that industry is in the public interest.

6. The President is authorized to provide as a condition of disposal, a requirement

that whenever the exercise of the controls authorized by subsection 6 (a) of this act is found by the President to be necessary to meet the established minimum quantities of production and consumption, a percentage of the output of synthetic rubber or butadiene of that facility be available for sale to meet requirements resulting from the exercise of such controls. The President is further authorized to specify the products to be sold in accordance with the provisions of this subsection and to establish fair prices therefor on the basis of all relevant factors.

And coupled with these restrictions and complete surrender of congressional jurisdiction over this highly significant problem was the fact that the President's recommendation proposed 10-year legislation. In other words, we were asked to turn over the entire synthetic-rubber program to the President to do with as he saw fit for the next 10 years.

Mr. Speaker, we should not surrender the jurisdiction of the Congress of the United States over this problem to anyone for 10 years.

I want to talk about that for a minute.

It involves a very important principle of government in this country.

It brings us again to the question of delegation of the powers and duties of the Congress to the executive branch. It is a question which goes to the root of our system of government.

I say that the Congress cannot continue along this path of abdicating its proper functions to the executive branch. Continuous delegation of congressional authority to the Executive will ultimately deprive our people of any congressional control at all.

There are 150,000,000 American people who go to the polls every 2 years to elect their Representatives in Congress. I will never be able to believe that they expect their Representatives and Senators to capitulate to the multitude of nonelected officials in the vast Government departments and pass to them the functions and authority properly vested in the legislative branch.

So, I have taken the position on this rubber question, and on all other matters pertaining to national defense, that the basic responsibility is vested in the Congress—that it is a nondelegable responsibility—and, therefore, that the Congress, in a matter of this sort, cannot properly vest in the executive branch enormous discretionary powers.

That is the yardstick the Armed Services Committee has applied to the executive branch recommendations in regard to disposing of the Nation's synthetic-rubber facilities.

Almost the entire rubber manufacturing industry opposed the President's recommendations. Now, let no one in the House conclude that our committee was guided by what industry desired. Industry suggested three legislative proposals, all of which are described in the committee report, but none of them were acceptable to the committee. Of the three plans, two of them would have permitted the leasing of the present facilities, while the third would have provided for a statutory reduction in specification controls.

The committee's position is that there should be no disposal at this time either by lease or sale, although the committee

does agree that specification controls can be lowered in view of the relatively large and consistent consumption of synthetic rubber. This can be accomplished under the present law. One point should be made definitely clear. The committee is emphatic in its position that this is not the time to dispose of any of our facilities or to change the present law in any manner.

While it is true that, under the present law, facilities could possibly be leased, the committee notes that no facilities have been leased for the manufacture of general-purpose or butyl rubber, and it is our hope that the present law will remain as written and that it will be administered substantially as it has been in the past.

The present law has worked effectively and for the best interests of the Nation. No one has found any important flaw in it, nor has anyone made any great complaint about its operation. Three years hence, the entire subject will be reviewed. But the committee is unwilling to surrender its jurisdiction over this subject for 10 years, as recommended by the President.

All persons involved, including industry and Government, admit that the present Rubber Act of 1948 provides for national security in rubber. With the international situation such as it is, we feel that it is better to keep intact a law that has proved itself. This is no time to experiment with changes in a law that so far has provided the Nation with an adequate supply of synthetic rubber, and at the same time permitted us to stockpile natural rubber.

The declaration of policy on the Synthetic Rubber Act of 1943 says, in part, that Government ownership of production facilities, Government production of synthetic rubber, and regulations requiring mandatory use of synthetic rubber should be terminated whenever consistent with national security.

Mr. Speaker, our committee does not believe that this is the time to get the Government out of the synthetic rubber business.

In our opinion, it would not be consistent with national security to dispose of these facilities, stop Government production, or eliminate control authority at this time.

Mr. Speaker, no one in the House of Representatives more strongly favors private enterprise than I. And I think I can speak for the entire membership of the House Committee on Armed Services when I say that we all sincerely hope the day will soon come when the Government can get out of the rubber business entirely.

But we have a good law in effect now; it is providing security in rubber, the program is operating at a profit, and so far, the Office of Rubber Reserve has not asked Congress to appropriate any money to support the operating end of the rubber program. The taxpayers today are getting good products at fair prices; the tire on your car today is better than the tire before the war. But above all, we are maintaining, through our Government rubber program, an essential in-

dustry, second to none in our national defense.

If we fail to enact this legislation, the Government will go out of the rubber business on July 1, 1950. Plants will be declared surplus and the future of the synthetic rubber industry, as well as the security of the Nation, will be jeopardized.

The Armed Services Committee is emphatic and unanimous in its position that this is not the time to dispose of any of our synthetic rubber facilities or to change the present law in any manner.

This issue is before the Congress today because we hoped 2 years ago—as we did on the Selective Service Act as well—that world conditions today would be greatly improved. We hoped 2 years ago that by this time we would have arrived at some degree of accord and comity in international life.

But the 2 years have passed, and what do we find?

Why, every Member of this House knows that we are no nearer a lasting peace today than we were 2 years ago.

It is my opinion, and I say this advisedly, that we are further away than we were.

Even in recent months our relations with Russia have hit a new low. An American Navy plane has just been shot down carrying to their deaths the 10 members of the crew. The Soviets have just demanded our ouster from Trieste. They are abetting endless friction with our people in the satellite countries and evidently are seeking our complete retirement from that region, including, even, our diplomatic representatives.

They have taken China. They have taken the island of Hainan. Communists are carrying on a bloody civil war in Indochina. Conditions are increasingly serious in Burma, Malaya, Thailand.

We have before us now a threatened pressure play on Berlin which could be extremely serious.

And so, on and on.

We find our Secretary of State and our Defense Establishment officials warning us daily of tense and dangerous world conditions. They have warned repeatedly that Russia today respects only force. We are expending enormous sums in an effort to keep up our defense forces to counter the very active threat we face in today's world. Only a short while ago this House increased by \$383,000,000 the defense appropriation specifically in response to the need for adequate defense in this critical time in world affairs.

Our Secretary of State is heavily engaged in efforts designed to strengthen western Europe in the face of the mighty Russian military machine looming just over the horizon. The Secretary of Defense and the Chairman of the Joint Chiefs of Staff have just returned from the Hague after attending conferences seeking to increase the military strength of the free countries in Europe.

No, Mr. Speaker, this is not that happy period in world affairs that we hoped for 2 years ago.

Quite the contrary. As the Armed Services Committee was told only a few days ago by the Secretary of Defense,

by the Chairman of the Joint Chiefs of Staff, General Bradley, and by others, world conditions have deteriorated even during the past 5 months.

So, there can be no doubt that this is not the time to dispose of our synthetic rubber plants, one of our most precious national defense assets.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mr. WHITE of Idaho. We are told that the ordinary rubber tire we have today is largely composed of synthetic rubber. Does the gentleman know anything about that?

Mr. VINSON. Yes; I know a good deal about that. The gentleman has stated it absolutely correctly. That is one reason why it is necessary for the time being to continue this law, because of the important part rubber plays in national defense. We could not operate a modern army or modern airplanes without tires.

Mr. WHITE of Idaho. Will the gentleman tell us what effect the production of 850,000 tons of synthetic rubber might have on the petroleum resources of this country?

Mr. VINSON. It might make a considerable draft on them but it would not deplete them to such an extent that, under regulations, we would not have sufficient to carry on the necessary production of airplanes and motor vehicles.

Mr. WHITE of Idaho. Without considering the production of synthetic rubber for defense, but considering only its use commercially today, there is a considerable draft being made by the manufacturers of synthetic rubber on our petroleum resources, particularly gasoline.

Mr. VINSON. Of course, every kind of production of synthetic rubber is a draft on the petroleum industry. For that reason we have established in the Northwest pilot plants to make synthetic gasoline. We have appropriated millions and hundreds of millions of dollars for the purpose of building synthetic plants to make gasoline out of shale in Idaho, Montana, and other parts of that section of the country.

Mr. WHITE of Idaho. Is the gentleman optimistic enough to believe that when this country has to depend on synthetic gasoline made from shale and lignite it will be available at a cost of less than a dollar a gallon?

Mr. VINSON. I hope it will not cost that much, but at least we must do what we can to bring in synthetics, outside of using up all the raw material which has come from the bosom of the earth in the way of gas.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Texas.

Mr. COMBS. In response to the question asked by the gentleman from Idaho about how large a part of petroleum production is used by the synthetic rubber industry, may I make the observation that if it be assumed that it takes a ton of petroleum to make a ton of rubber, which it does not, the drop in oil production in Texas by reason of prorating

is 600,000 barrels a day, and that one simple fact, which I happen to have in mind at the moment, indicates that only a small fraction of the oil produced goes into synthetic rubber.

Mr. VINSON. Eighty-five percent of all the rubber used in the prosecution of the war was synthetic rubber, and we had at the same time a sufficient amount of petroleum to meet the war needs.

Mr. WHITE of Idaho. The gentleman is cognizant of the very acute shortage of petroleum during the war period?

Mr. VINSON. Yes.

Mr. WHITE of Idaho. Everybody was rationed, and we could get gas only for certain things. Is the gentleman optimistic enough to think that if we have another war we will not be rationed and have another shortage?

Mr. VINSON. I think if we have another war we will be rationed not only on gasoline but on every activity of our life.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SHAFER. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mr. SHAFER. Actually there was no shortage of petroleum during the war, but there was a shortage of rubber.

Mr. VINSON. That is correct.

Mr. Speaker, as I was saying, I consider one of the outstanding achievements of the Eightieth Congress the synthetic rubber bill presented here by the gentleman from Michigan [Mr. SHAFER]. This is no time for the Government to get out of the picture. We are confronted today with a cold war. The world situation today is as acute and even more so than it was months ago. So the committee unanimously after hearing both Government witnesses and industry witnesses decided that the proper thing to do at this time in view of world conditions is to extend this law for an additional 3 years.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mr. STEFAN. The purpose of this bill is to extend Public Law 469?

Mr. VINSON. Exactly. That is all it does.

Mr. STEFAN. How many plants does it keep in operation?

Mr. VINSON. It will put 17 plants in actual operation.

Mr. STEFAN. In practical language and in layman's language will the gentleman tell the committee how much this operation is costing the Government and will he also tell where this rubber goes? Does it go into stockpiles?

Mr. VINSON. The answer to the gentleman's first question is that last year it was operated at a profit of a million dollars. No appropriation has ever been made for the operation of it. It is operated by chemical companies, petroleum companies and private rubber companies

on a fee system through the Office of the Rubber Reserve of the Reconstruction Finance Corporation.

Mr. STEFAN. What happens to the rubber after it is made?

Mr. VINSON. The law requires that at least 200,000 tons be used by the industry as well as 22,000 tons of a special type. That way the industry procures it from the Rubber Reserve of the Reconstruction Finance Corporation.

Mr. STEFAN. It has no relation to stockpiling?

Mr. VINSON. No, it has no relation whatsoever to stockpiling.

Mr. STEFAN. They have a revolving fund for the operation of these plants?

Mr. VINSON. Yes.

Mr. STEFAN. They make a profit which goes into the Federal Treasury and no appropriation is made for the operation of this?

Mr. VINSON. No appropriation has been made up to this time.

Mr. Speaker, I will not take up the time of the House further. I believe everybody understands the purpose of the bill.

Mr. SHORT. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, anything that anyone might say at this point would be like carrying coals to Newcastle. But I do think the Members who are present will be interested to know that this is one of the most interesting and fascinating and romantic, I might say, stories that could possibly be told so far as the winning of the last war is concerned.

We came dangerously near losing the last war when Singapore fell and when the Japs, shortly after Pearl Harbor, sank two of Britain's greatest battle-ships.

Our supply of natural rubber was completely cut off. As everyone knows, rubber is almost as essential as petroleum in the fighting of modern war. It was not until Big Bill Jeffers, who is head of the Union Pacific Railroad, was brought here by President Roosevelt that we brought order out of chaos and after the expenditure of \$700,000,000 we got synthetic-rubber plants in many different sections of our country going. As the able chairman of our committee [Mr. VINSON] has told you, 85 percent of all the rubber that we used during the war years was produced synthetically here in the United States.

For many purposes this synthetic rubber is as good if not better than natural raw rubber. After the expenditure of these huge sums and through experiences that we learned—some of them painful—we found out that the United States no longer would have to depend upon foreign sources, but that we could be more or less self-sufficient and self-contained.

I want you to bear in mind that since the war ended a rubber tire is perhaps about the only commodity that you can buy as cheaply as you could before the war, although the prices have advanced in recent months.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. WHITE of Idaho. Can the same thing be said with reference to the First World War?

Mr. SHORT. No; we did not have any synthetic rubber plants then. We were almost completely dependent upon foreign sources until we built these synthetic plants here in the United States during the recent global conflict. But today you can buy rubber as cheaply, if not more cheaply, than you could prior to the war.

I wanted merely to take this moment to offer my congratulations to the very able gentleman from Michigan [Mr. SHAFER], who was chairman of a subcommittee in the Eightieth Congress that considered this legislation; who worked long, arduously, and untiringly to bring about good results. There is a gentleman over in the other end of the Capitol, now a Senator from the great State of Texas, Mr. LYNDON B. JOHNSON, who was then a member of our committee and who sat in the conferences that contributed much to getting this legislation passed.

I think it is one of the most constructive pieces of legislation ever enacted by the Congress of the United States, and if PAUL SHAFER remains here until he is as old as Uncle Joe Cannon, this one piece of legislation is worth much more than it will ever cost the taxpayers. I know his people will have the good sense to keep him here.

I think every member of our committee will agree with that. I am glad that under the guidance and direction of this almost superman, the sage of Georgia, CARL VINSON, to whom we all run when we get into trouble, that this bill drawn as it is, merely to extend and maintain the status quo for the next 2 or 3 years, will receive your approval.

The SPEAKER pro tempore. The time of the gentleman from Missouri [Mr. SHORT] has expired.

Mr. SHAFER. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, as has been well stated, this is merely an extension of the legislation passed in the Eightieth Congress. No changes have been made. Simply the dates of the legislation have been changed.

If the Synthetic Rubber Act of 1948 is allowed to expire on June 30 of this year, there will be no further production of synthetic rubber by the Government. There will be no authority to require its consumption and there will be no authority to exercise allocation controls if that should become necessary.

If the law expires the plants will become excess to the needs of the Reconstruction Finance Corporation and assuming they are designated by the General Services Administration as a disposal agency, they would be sold in accordance with that act. However, the facilities may revert to the General Services Administration to be sold by that agency, or the General Services Administration might permit the RFC to lease the facilities. All of this would be time-consuming and in the meantime there would be no production of synthetic rubber in this country by the Government. Remember, Government production accounts for practically all of the GRS and butyl produced in this country.

I have the figures on that. In the 1949 consumption the Government production

accounted for 299,202 tons of GRS and 50,908 tons of butyl rubber of a total production of 414,053 tons.

If the plants become excess the Secretary of Defense might declare them as essential for the natural industrial reserve and ask that they be sold or leased subject to a national security clause, and if they cannot be sold or leased subject to a national security clause, they would then be transferred to the General Services Administration to remain in standby by that agency. If we let this act expire there is no doubt in my mind that the Secretary of Defense, because of the tremendous strategic importance of these plants, would impose a national security clause restriction upon them and negotiations for their sale or lease would then have to proceed on that basis. Each day of delay would add to the international chaos in rubber.

Rubber is in a tight situation today and the expiration of this act would, in my opinion, practically double or possibly triple the price of natural rubber. Natural rubber is selling at 28 cents a pound on the New York market.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan be allowed to proceed for five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHAFER. Several months ago natural rubber was selling for 21 cents a pound. Even with the Rubber Act in existence the price of natural rubber has increased by 7 cents a pound. That leads to increased cost for rubber products for millions of American consumers. If we let this act expire the price of natural rubber will increase and the American consumer will pay through the nose; and do not forget that every increase in the price of natural rubber means a lot more that the Government must pay for the natural rubber it buys for stockpiling purposes.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SHAFER. I yield.

Mr. COX. I wonder what the gentleman's opinion is as to the effect the anticipated expiration of the Rubber Act had on the increase of the price of natural rubber from 21 cents to 28 cents? And before I finish let me say that I appreciate the efforts of the gentleman from Michigan in the persistent and determined effort he has made to bring about the consideration of this bill.

Mr. SHAFER. I thank the gentleman from Georgia. In answer to his question, I think it might have had something to do with it.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. SHAFER. I yield.

Mr. STEFAN. I, too, want to pay my tribute to the gentleman from Michigan [Mr. SHAFER] for offering this bill. I intend to support it because of my knowl-

edge of the origin of our synthetic-rubber program at a time when we had no rubber and when we faced an emergency. Undoubtedly the members of the Committee on the Armed Services feel that this extension of this act is necessary because they feel perhaps this cold war is just a little hot; but in my opinion I think the extension of this act is absolutely necessary because it will once and for all stop the inroads of the Dutch and British monopoly which had control of natural rubber for so many, many years and whose interests endeavor to stop the passage of this kind of legislation.

This kind of legislation in my opinion not only makes it sure for the United States to have synthetic rubber and be self-sufficient during an emergency, but assures protection of the American people who buy rubber against the continuation of this international cartel by the British and Dutch monopoly which controlled rubber for so many, many years. I thank the gentleman for permitting me to make this statement.

Mr. SHAFER. I thank the gentleman for his contribution.

There is no question but what this law which we are about to extend, if Congress accepts this bill, has been a successful law.

Mr. STEFAN. May I ask the gentleman one more question? In the manufacture of GSR butyl and butadiene, what percentage of farm products are used? What percentage of farm products are being used in the manufacture of synthetic rubber today?

Mr. SHAFER. I would not be able to tell the gentleman.

Mr. SHORT. If the gentleman will yield at that point, we make synthetic rubber from petroleum products, from gas, and from alcohol from farm products.

Mr. SHAFER. We have one alcohol plant.

Mr. SHORT. We could take care of your surplus corn crop up in Nebraska.

Mr. SHAFER. And potatoes.

Mr. SHORT. And potatoes. The gentleman from Michigan, I may say, was chairman of the subcommittee on which I was privileged to serve which investigated this subject. The members of the Armed Services Committee are deeply grateful to the gentleman from Michigan [Mr. CRAWFORD] who was so helpful in the preparation of this legislation; and we never could have accomplished what we did without the splendid assistance of our staff member, Mr. Russell Blanford.

Mr. MCCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SHAFER. I yield to the distinguished majority leader.

Mr. MCCORMACK. May I say as majority leader that I know no one who has been more wholesomely pressing upon me to have this bill programed and taken up than the distinguished chairman of the Committee on the Armed Services, the gentleman from Georgia [Mr. VINSON].

Mr. SHAFER. I thank the gentleman.

Mr. Speaker, the Synthetic Rubber Act of 1948 has been a successful law. Industry says it is all right. Government witnesses finally admitted it was all right, and it does assure us of a source of rubber, which is of tremendous importance to the Nation. I am sure that the House knows that I am as much opposed to controls of any type as anyone in the United States. I would like to see the Government out of business just as the distinguished chairman of the Armed Services Committee would like to see Government out of business. But like him, I believe that this is an exception and that our national security demands the extension of the Synthetic Rubber Act of 1948.

Some people might claim that the large demand for synthetic rubber justifies the sale of the synthetic rubber facilities. But we have never been able to test this issue by a gradual reduction of specification controls. Our report suggests that procedure. We look upon this as a one-package deal. Butyl and GRS are both part of the synthetic rubber program. We do not feel that we can release one and not the other. No one is being injured by the Government's retention of these facilities, and the next 3 years should determine whether or not both types of synthetic rubber have the ability to stand on their own feet.

I urge the House to pass this bill and extend a good law passed during the Eightieth Congress which may mean a great deal to you and to every American citizen if we should be faced with a sudden emergency.

Mr. HUBER. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, because I have the honor of representing Akron, Ohio, the rubber capital of the world, I have a very great interest in the pending legislation. I have listened attentively to the statements that have been made, especially by my colleague and good friend the gentleman from Missouri [Mr. SHORT] about the necessity of this country always having an adequate supply of rubber.

I am reminded that the late Harvey S. Firestone, founder of the Firestone Tire & Rubber Co., many years before we thought of synthetic rubber, stated that America should produce its own rubber. Had that splendid and wise advice been followed we might not have found ourselves so handicapped following Pearl Harbor.

Mr. Speaker, I should like to add a brief word of commendation to the well-deserved praise that has been directed to the Armed Services Committee for its work on the rubber problem in both this and the Eightieth Congress.

I should also like to comment briefly upon the radical change which has taken place in the rubber supply picture since this committee completed its hearings 2 months ago.

In its report, the committee recognized and in strong and clear language dwelt upon the desirability of reducing mandatory or government-enforced use of

synthetic rubber as soon as possible. It also urged that it be the policy of the Government to supply all of the synthetic rubber required over the mandatory minimum and sought by private industry for consumption on a voluntary basis.

The wisdom of this policy has become abundantly clear within the past 5 weeks. For we are suddenly confronted with a runaway market in natural rubber touched off by new evidence of a serious world shortage of natural rubber that threatens to continue for many years. New estimates brought back to this country only this week by American delegates to the International Rubber Study Group Conference in Brussels bring out the fact that these shortages are even more acute today than we had estimated them to be one short month ago.

Thus the matter of mandatory consumption has become a purely academic question for this year and probably for the next 2 or 3 years at least. It would thus appear that security would in no way be jeopardized by the substantial reduction of mandatory requirements.

Even now the Government is unable with its present operating plants to meet the demands of the rubber manufacturing industry in this country for synthetic rubber.

For these reasons I would like to add to the recommendations of the committee my own view that it is important that the Government agency operating these plants do all within its power to meet the requirements of American industry for synthetic rubber, even to the point of opening new plants. To the extent that this demand is not met and the industry is compelled to use exorbitantly priced natural rubber, the American public will be compelled to pay millions of dollars more for its rubber products.

Mr. GUILL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I was called from the Chamber on official business pertaining to the Canadian River project when the roll call was had on the passage of the Federal Highway Act. I wish to make the statement that had I been present I would have voted "yea."

Mr. MARTIN of Massachusetts. Mr. Speaker, I move to strike out the last three words for the purpose of ascertaining, if I can, from my good friend, the distinguished majority leader, as to the program for next week.

Mr. McCORMACK. On Monday and Tuesday:

H. R. 8567, the deficiency bill, 1950.

H. R. 8568, District of Columbia Appropriation bill, 1951.

Conference report on ECA, which will be the first order of business on Tuesday without regard to what disposition may be made on Monday of the other two appropriation bills.

House Resolution 503, the Stevens-Blackney contested election case.

I have been requested not to dispense with Calendar Wednesday business.

On that day there will be considered:

H. R. 4424, Alaska settlement by war veterans.

H. R. 6152, Indians, Devils Lake Sioux Tribe.

H. R. 7262, Indians, Turtle Mountain Band. The gentleman from North Dakota [Mr. LEMKE] is very much interested in those bills.

After Calendar Wednesday the following bills will be considered during the remainder of the week and while the list may be long most of these bills will not take much time and if not disposed of they will go over until the following week:

H. R. 6826, extension of the Selective Service Act, 1948.

H. R. 7764, the naval construction bill. S. 2440, installations, Military Establishment.

H. R. 7273, Civil government for Guam.

H. R. 5990, the Baltimore-Washington Parkway bill, which was considered the other day but final action thereon not taken.

S. 2128, royalty-free licenses.

Conference reports may be brought up at any time, and with the usual notation, which might produce a smile, any further program will be announced later.

Mr. MARTIN of Massachusetts. I thank the gentleman.

Mr. VINSON. Mr. Speaker, if no other Members desire to avail themselves of the opportunity to speak on this bill, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISTRIBUTION OF FOOD COMMODITIES

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks and include a letter I have received from the Acting Assistant Administrator of the Production and Marketing Administration, together with a tabulation and copies of letters I have sent today to the President and the Secretary of Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, I received this morning from the Production and Marketing Administration, Department of Agriculture, a further tabu-

lation of the quantities of food commodities distributed as of May 17, broken down by States. This is under the provisions of section 416 of the Agricultural Act of 1949 and section 3, Public Law 471.

A preliminary study of this tabulation indicates that the same general pattern of distribution prevails and that again Illinois ranges far ahead of all other States.

One million five hundred forty-two thousand seven hundred and fifty-two pounds of butter are consigned to Illinois. The total assigned to all 48 States and the four island possessions is 5,361,012 pounds. In other words, Illinois is receiving more than 28 percent of the total of this food commodity.

It is interesting to note that Illinois alone received 49,056 more pounds of butter than the butter assigned to the 11 Northeastern States—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, and Maryland. In contrast to that, according to the latest official information, those States have a combined population of 40,872,000 against Illinois' population of 8,397,000.

I was advised this morning that the latest official figures on unemployment show that these 11 Northeastern States had 767,043 unemployed, while Illinois had 161,375. Surely the comparative situation with reference to unemployment is one measure by which the fairness and reasonableness of this current program of distributing food commodities can be measured. On its face there is rank discrimination, whatever the cause or reason.

I have sent a copy of this statement to the President and to Secretary Brannan. The explanation that some States are not in a position financially to participate in this program points up sharply the imperative necessity of immediate action along the lines which have been recommended repeatedly to the President and to the Secretary of Agriculture. How much longer must the needy people in all parts of this country wait for fair treatment?

I now want to include the letter from the Acting Assistant Administrator and the enclosed tabulation:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
PRODUCTION AND
MARKETING ADMINISTRATION,
Washington, D. C., May 18, 1950.
Hon. JOHN W. HESELTON,
House of Representatives.

DEAR MR. HESELTON: Attached is the table which your office requested by telephone, setting forth the quantities of commodities the States have ordered under the provisions of section 416 of the Agricultural Act of 1949, and section 3 of Public Law 471.

Please note that the accumulated figure for section 416 potatoes is less than was previously reported in our letter of May 11, 1950. This is the result of recent cancellations received from several States.

Sincerely yours,
ROY W. LENNARTSON,
Acting Assistant Administrator.

Orders placed as of May 17

[In pounds]

State	Sec. 416 commodities					Sec. 3, Public Law 471, Irish potatoes (1949 crop)
	Butter	Cheese	Dried eggs	Nonfat dry milk solids	Irish potatoes	
Alabama.....	18,816	25,270	22,568	157,825	862,800	468,000
Arizona.....	20,800	26,810	29,960	40,000	182,000	792,000
Arkansas.....	26,432	20,300	22,400	45,000	1,026,000	1,584,000
California.....	79,616	63,540	102,088	79,950	3,914,000	274,900
Colorado.....	63,296	11,760	4,375		1,880,200	400,000
Connecticut.....					765,000	135,000
Delaware.....	21,120	7,000	4,760	47,400	288,000	322,000
District of Columbia.....	32,640	12,250	10,808	20,475	216,000	
Florida.....	20,032	20,020	19,432	41,925	980,350	
Georgia.....	74,752	49,350	10,584	29,600	1,034,250	18,900
Idaho.....	256	140	504	5,825	230,430	6,845,000
Illinois.....	1,542,752	762,067	481,115	960,425	3,373,000	708,000
Indiana.....					233,200	493,100
Iowa.....	56,000	20,510	2,275	3,150	1,207,900	393,000
Kansas.....	74,560	21,140			141,400	915,000
Kentucky.....	90,816	43,120	13,699	29,425	654,000	936,000
Louisiana.....	72,000	24,500		30,000	378,000	282,100
Maine.....		28,350	35,280	87,075	1,088,200	771,000
Maryland.....	39,616	49,000	6,048	55,950	1,071,300	2,350,000
Massachusetts.....	147,840	71,820	3,360	68,075	2,770,000	2,298,300
Michigan.....	188,232	160,790			3,205,800	1,152,000
Minnesota.....	119,040	68,020			1,850,900	
Mississippi.....	37,120	24,570		3,600	285,000	1,395,000
Missouri.....	112,640	63,370	64,544	78,825	1,422,000	36,000
Montana.....	15,376	4,660		15,750	124,400	262,000
Nebraska.....	49,600	16,520			865,200	42,100
Nevada.....	4,736	1,610	1,050	1,250	79,200	529,000
New Hampshire.....	65,620	34,790	17,360	39,000	324,000	1,900,000
New Jersey.....	143,040	46,620	51,856	201,825	491,800	180,000
New Mexico.....	1,088	490	56,476	78,750	432,000	5,013,000
New York.....	601,856	193,900	115,640	483,500	4,187,400	990,000
North Carolina.....			4,326	22,275	485,900	780,000
North Dakota.....	7,680	3,150	336	800	286,100	3,326,000
Ohio.....	502,292	263,970	135,625	196,500	3,459,100	648,000
Oklahoma.....	57,088	23,800	32,032		1,638,000	6,000
Oregon.....	36,160	12,180	224	23,800	153,500	3,922,000
Pennsylvania.....	432,064	230,300	294,392	945,275	7,094,600	718,000
Rhode Island.....	21,120	23,940		22,500	680,000	300,000
South Carolina.....			525	1,125	616,000	604,500
South Dakota.....			5,936	9,745	1,058,100	1,365,000
Tennessee.....	75,456	47,600	11,935	1,000	432,000	1,044,000
Texas.....	61,952	44,590	1,960	66,160	2,507,500	14,500
Utah.....	83,008	90,160	16,968	50,125	1,646,800	50,000
Vermont.....	21,120	7,490		14,000	307,900	1,350,000
Virginia.....	93,888	49,630	1,589	12,600	474,000	379,700
Washington.....	75,136	36,540	1,453	105,445	1,011,550	1,900,000
West Virginia.....	84,480	95,760	235,144	330,600	3,203,000	1,125,000
Wisconsin.....	59,712	20,020	9,520	11,250	1,017,400	9,700
Wyoming.....	8,448	2,870	3,472	66,600	523,000	136,000
Alaska.....	28,416					
Total.....	5,361,012	2,814,317	1,831,619	4,484,400	62,199,180	49,053,800

¹ Freight paid to Seattle only.

Mr. Speaker, may I conclude with the letter I sent today to the President and state that I sent an identical letter to Secretary Brannan. The letter is as follows:

MAY 19, 1950.

The President,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: I enclose a statement which is self-explanatory.

In the face of the facts which are now developing as to this program of distributing surplus food commodities to needy people, surely prompt action should be taken to remedy the obvious inequities.

Respectfully,

EXTENSION OF REMARKS

Mr. HAGEN asked and was given permission to extend his remarks and include a tribute to motherhood, given by Drew Pearson over a national radio hookup last Sunday.

Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks in two instances, and include in one an address by the Assistant to the Under Secretary of Labor, and in the other a eulogy delivered by the Most Reverend John H. Wright at the requiem mass for the Right Reverend Walter S. Carroll, D. C., in St. Matthew's Cathedral, Washington, D. C., on February 27, last.

Mr. GRANT (at the request of Mr. ELLIOTT) was given permission to extend his remarks in two separate instances and include in one extracts from certain letters and telegrams and in the other an address by Hon. STEPHEN PACE, of Georgia.

Mr. BARRETT of Pennsylvania (at the request of Mr. PATTEN) was given permission to extend his remarks.

Mr. PHILBIN asked and was given permission to extend his remarks in two instances and include speeches in one of them and excerpts in the other.

Mr. DONOHUE asked and was given permission to extend his remarks and include an editorial.

Mr. PATTERSON (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in three instances and include editorials.

Mr. KLEIN (at the request of Mr. McCORMACK) was given permission to extend his remarks in two instances.

Mr. SHAFER asked and was given permission to extend his remarks in three instances.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LARCADE, for three legislative days, on account of accompanying the Vice President on a visit to Louisiana.

To Mr. THOMPSON, for today, on account of official business.

To Mr. FUGATE, for Monday, May 22, on account of official business.

To Mr. MACK of Washington (at the request of Mr. HORAN), for today, on account of official business.

To Mrs. WOODHOUSE (at the request of Mr. BIEMILLER), for an indefinite period, on account of official business.

BILLS PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 4433. An act to make retrocession to the Commonwealth of Massachusetts over certain land in Shirley, Mass.;

H. R. 4732. An act to direct the Secretary of the Army to convey certain lands to the Two Rock Union school district, a political subdivision of the State of California, in Sonoma County, Calif., and for other purposes; and

H. R. 6171. An act to authorize commissioned officers of the Army, Navy, Air Force, and Marine Corps, to administer certain oaths, and for other purposes.

ADJOURNMENT

Mr. HAVENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 53 minutes p. m.), under its previous order, the House adjourned until Monday, May 22, 1950, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV executive communications were taken from the Speaker's table and referred as follows:

1460. A letter from the Comptroller General of the United States, transmitting a copy of a report of the activities of the General Accounting Office, pursuant to section 16 of the Contract Settlement Act of 1944; to the Committee on the Judiciary.

1461. A letter from the Acting Attorney General, transmitting a copy of the order of the Commissioner of the Immigration and Naturalization Service granting the status of permanent residence to the subject of such order; to the Committee on the Judiciary.

1462. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to permit national banks to give security in the form required by State law for deposits of funds by local public agencies and officers"; to the Committee on Banking and Currency.

1463. A letter from the Comptroller General of the United States, transmitting a report on the audit of Government Services, Inc., for the fiscal year ended December 31, 1948; to the Committee on Expenditures in the Executive Departments.

1464. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 28, 1950, submitting a report, together with accompanying papers, on a preliminary examination and survey of channels to and near Jefferson Islands, Chesapeake Bay, Md., with a view to their establishment as an aid to navigation and the establishment of a harbor of refuge, authorized by the River and Harbor Act approved on August 26, 1937; to the Committee on Public Works.

1465. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 20, 1950, submitting a report, together with accompanying papers, on a preliminary examination of Intracoastal Waterway from

Jacksonville to Miami, Fla., with a view to providing an auxiliary side channel from the Intracoastal Waterway near Titusville through, and easterly of, Merritt Island via Banana Creek and River to, or near, Eau Gallie, Fla., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

1466. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 31, 1950, submitting a report, together with accompanying papers, on a preliminary examination of Illinois River and Lake Depue, Ill., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on November 8, 1945, and also authorized by the River and Harbor Act approved on July 24, 1946; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee of conference. H. R. 1285. A bill for the relief of the legal guardian of Lena Mae West, a minor (Rept. No. 2111). Ordered to be printed.

Mr. MILES: Committee on Public Lands. S. 2274. An act to provide for the addition of certain lands to El Morro National Monument, in the State of New Mexico, and for other purposes: without amendment (Rept. No. 2112). Referred to the Committee of the Whole House on the State of the Union.

Mr. KERR: Committee on Appropriations. H. R. 8567. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1950, and for other purposes; without amendment (Rept. No. 2113). Referred to the Committee of the Whole House on the State of the Union.

Mr. BATES of Kentucky: Committee on Appropriations. H. R. 8568. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1951, and for other purposes; without amendment (Rept. No. 2114). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee on Appropriations. House Joint Resolution 476. Joint resolution making temporary appropriations for the fiscal year 1950, and for other purposes; without amendment (Rept. No. 2115). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 8276. A bill to extend the Housing and Rent Act of 1947, as amended, and for other purposes; with amendment (Rept. No. 2116). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEE: Committee of conference. H. R. 7797. A bill to provide foreign economic assistance (Rept. No. 2117). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPENCE:

H. R. 8565. A bill to make capital and credit more readily available for financing small business, foster competition, and coordinate Federal aids to small business, and thus to promote, foster, and develop the domestic

and foreign commerce of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATMAN:

H. R. 8566. A bill to make capital and credit more readily available for financing small business, foster competition, and coordinate Federal aids to small business, and thus to promote, foster, and develop the domestic and foreign commerce of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. KERR:

H. R. 8567. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1950, and for other purposes; to the Committee on Appropriations.

By Mr. BATES of Kentucky:

H. R. 8568. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1951, and for other purposes; to the Committee on Appropriations.

By Mr. SPENCE:

H. R. 8569. A bill to strengthen the common defense by extending for 5 years the authority for the Texas City tin smelter operation; to the Committee on Banking and Currency.

By Mr. THOMPSON:

H. R. 8570. A bill to strengthen the common defense by extending for 5 years the authority for the Texas City tin smelter operation; to the Committee on Banking and Currency.

By Mr. BLATNIK:

H. R. 8571. A bill to authorize the exchange of wildlife-refuge lands within the State of Minnesota; to the Committee on Merchant Marine and Fisheries.

By Mr. BURNSIDE:

H. R. 8572. A bill to amend paragraph 1793 of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. HARE:

H. R. 8573. A bill to provide for the consideration and payment of claims against the Reconstruction Finance Corporation for livestock slaughter subsidy payments; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 8574. A bill authorizing the Attorney General to incorporate certain nonprofit nonpolitical organizations, including those composed solely of veterans; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8575. A bill to provide emergency cotton allotments to producers of farm commodities whose 1950 crops have been substantially destroyed by natural causes; to the Committee on Agriculture.

By Mr. TEAGUE:

H. R. 8576. A bill to provide reimbursement of expenses incurred in connection with the burial of those who served in the military forces of the Commonwealth of the Philippines while such forces were in the Armed Forces of the United States pursuant to the military order of the President of the United States dated July 26, 1941; to the Committee on Veterans' Affairs.

By Mr. WHITE of Idaho:

H. R. 8577. A bill to prohibit the establishment or maintenance of certain area officers of the Bureau of Indian Affairs, and for other purposes; to the Committee on Public Lands.

By Mr. SMITH of Virginia:

H. R. 8578. A bill authorizing loans from the United States Treasury for the expansion of the District of Columbia water system; to the Committee on the District of Columbia.

By Mr. CANNON:

H. J. Res. 476. Joint resolution making temporary appropriations for the fiscal year

1950, and for other purposes; to the Committee on Appropriations.

By Mr. BURKE:

H. Con. Res. 212. Concurrent resolution expressing the sense of the Congress that the President should rescind foreign-trade agreements with Communist-controlled countries; to the Committee on Ways and Means.

By Mr. FURCOLO:

H. Res. 606. Resolution requesting the President to appoint a bipartisan commission relating to American policy in Germany; to the Committee on Foreign Affairs.

By Mr. MARCANTONIO:

H. Res. 607. Resolution making H. R. 2146, a bill to amend the Railroad Retirement Act of 1937, as amended, so as to provide full annuities, at compensation of half salary or wages based on the five highest years of earnings, for individuals who have completed 30 years of service or have attained the age of 60, a special order of business; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BREEN:

H. R. 8579. A bill for the relief of Mrs. Orinda Josephine Quigley; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 8580. A bill for the relief of Yingnan Hoo, Mesum Hoo, and Meguen Hoo; to the Committee on the Judiciary.

By Mrs. DOUGLAS:

H. R. 8581. A bill for the relief of Yasuko Higuchi; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 8582. A bill for the relief of Kenneth R. Kleinman; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8583. A bill for the relief of Hisako Shimizu; to the Committee on the Judiciary.

By Mr. POTTER:

H. R. 8584. A bill for the relief of Mrs. Tokio Sato Keating, Terry Yoichi Keating, and Betty Jean Keating; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H. R. 8585. A bill for the relief of Athena Mary Onasses; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2153. By Mr. HOLMES: Resolution of Columbia Basin School Development Association, signed by superintendents of schools and members of school boards of Grand Coulee, Coulee City, Soap Lake, Ephrata, Quincy, Moses Lake, Warden, Othello, Connell, Pasco, Lind, and Eltopia, endorsing House bills 8113 and 7940; to the Committee on Education and Labor.

2154. By Mr. MILLER of Maryland: Resolution of the Somerset County Farm Bureau, Princess Anne, Md., urging Congress to make effective the recommendations of the Hoover Commission by enacting appropriate legislation in cooperation with the educational program of the Citizens' Committee for the Hoover Report; to the Committee on Expenditures in the Executive Departments.

2155. By Mr. RICH: Resolution of Dewey Heichel Post, No. 4907, Veterans of Foreign Wars, Wellsboro, Pa., in opposition to any form of compulsory health insurance or any system of political medicine designed for national bureaucratic control; to the Committee on Interstate and Foreign Commerce.